
MINUTES OF THE PROCEEDINGS

OF

THE COUNCIL

OF THE

CITY OF PITTSBURGH

FOR THE YEAR

1986

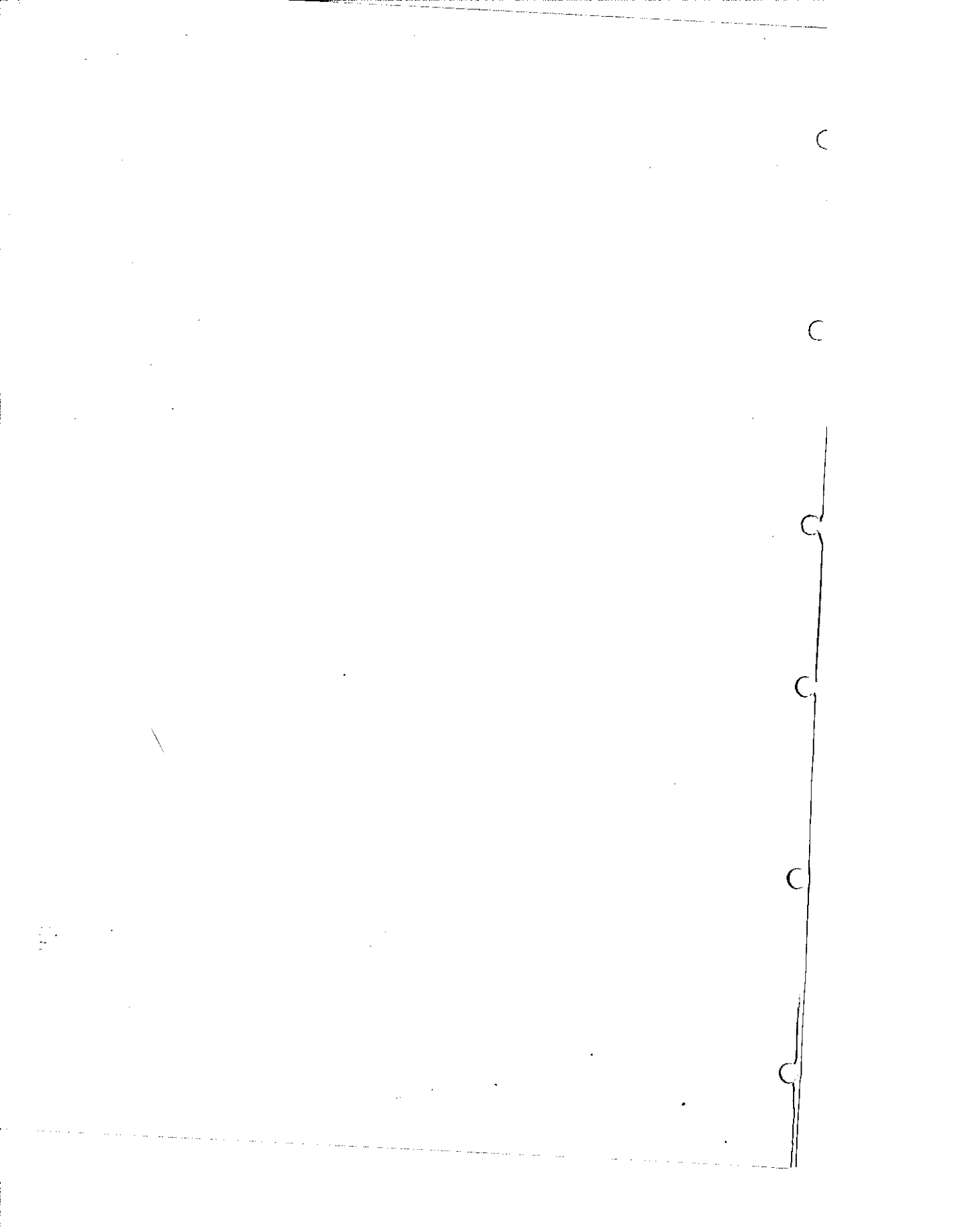
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COMMUNICATIONS

INTERIM APPROVAL
DEPARTMENT OF PARKS AND RECREATION
LOUISE BROWN, DIRECTOR

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TRAVEL REQUESTS
CITY CONTROLLER'S OFFICE
TOM FLAHERTY

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1682	Brown, L.	GFOA One Day Professional Development Course- Pittsburgh, PA	\$270.00	10-30-86	1278
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1682	Gedman, B.	GFOA One Day Professional Development Course- Pittsburgh, PA	\$270.00	10-30-86	1278
51	Johnson, R.	Annual Conference of the Government Finance Officers Association-1986 Los Angeles, CALIF	\$1,600.00	6-1-86	24
519	Johnson, L.	National Forum for Black Public Administrators' Forum Conference	\$1,000.00	4-27-86	367
1547	Johnson, R.	Government GAAP Update Seminar-Orlando, Florida	\$950.00	11-13-86	1199
1682	Johnson, R.	GFOA One Day Professional Development Course- Pittsburgh, PA	\$270.00	10-30-86	1278
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TRAVEL REQUESTS
CITY CONTROLLER'S OFFICE
TOM FLAHERTY

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1073	Parks, M.	Internal Auditing for Government Seminar- Hartford, Connecticut	\$850.00	8-4-86	830
1682	Perelman, N.	GFOA One Day Professional Development Course- Pittsburgh, PA	\$270.00	10-30-86	1278
1098	Pugh, R.	Construction Auditing Seminar-New York City	\$1,800.00	9-17-86	861
1682	Tedesco, T.	GFOA One Day Professional Development Course- Pittsburgh, PA	\$270.00	10-30-86	1278
1682	Terrence, J.	GFOA One Day Professional Development Course- Pittsburgh, PA	\$270.00	10-30-86	1278
678	Verbanets, S.	Pennsylvania G.F.O.A. Conference-Carlisle, PA	\$1,000.00	4-23-86	502
678	O'Neil, R.	Pennsylvania G.F.O.A. Conference-Carlisle, PA	\$1,000.00	4-23-86	502
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TRAVEL REQUEST
CITY COUNCIL AND CITY CLERK'S OFFICE
MICHAEL PERRY

<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
61	Brady, M.	Policy Leader Regional Seminar-Baltimore, Maryland	\$600.00	2-2-86	26
281	Conroy, E.	Western Pennsylvania Safety Council Meeting - Marriott Hotel, Monroeville, Pennsylvania	\$30.00	2-25-86	150
111	D'Alessandro A	80th Annual GFOA Conference - Los Angeles, California	\$3,200.00	5-31 to 6-4-86	37
223	Perry, M.	National Community Development Association's Conference - Washington, D.C.	\$950.00	3-18-86	118
111	Vaughn, P.	80th Annual GFOA Conference - Los Angeles, California	\$3,200.00	5-31 to 6-4-86	37

TRAVEL REQUEST
CITY INFORMATION SYSTEMS
EDWARD WALKOWSKI, MANAGER

1782	Atkins, D.	SRI Seminar-Buffalo, New York	\$2,700.00	12-8-86	1380
112	Downing, Jane	Lotus Computer Software Course - University of Pittsburgh	\$495.00	3-3-86	37
1429	Hesch, E.	Trained in operation of a collection software package being purchased from Collection Core, Inc.-Norfolk, Virginia	\$2,500.00	9-7-86	1088
185	Imbimbo, J.	Honeywell GOOS8 Data Management Course - Boston, Massachusetts	\$1,287.00	2-16-86	82

TRAVEL REQUEST
CITY INFORMATION SYSTEMS
EDWARD WALKOWSKI, MANAGER

<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
1781	Imbimbo, J.	Technology Transfer Institute Seminar concerning Data Bases- Atlanta, Georgia	\$4,100.00	12-2-86	1380
1782	Kostrub, J.	SRI Seminar-Buffalo, New York	\$2,700.00	12-8-86	1380
1477	Krall, P.	Honeywell Large Systems Users Association Conference-Phoenix, Arizona	\$3,500.00	10-5-86	1120
112	Lorince, T.	Lotus Computer Software Course - University of Pittsburgh	\$495.00	3-3-86	37
1477	McPeake, R.	Honeywell Large Systems Users Association Conference-Phoenix, Arizona	\$3,500.00	10-5-86	1120
1429	Miskovich, D.	Trained in operation of a collection software package being purchased from Collection Core, Inc.-Norfolk, Virginia	\$2,500.00	9-7-86	1088
1781	Nolf, M.	Technology Transfer Institute Seminar concerning Data Bases- Atlanta, Georgia	\$4,100.00	12-2-86	1380
428	Persons (10)	Various Computer Software Courses - Pittsburgh, Pennsylvania	\$6,432.50	3-86 and 4-86	259
915	Persons (3)	Structured Methodologies	\$900.00	6-4-86	646
112	Swanson, D.	Lotus Computer Software Course - University of Pittsburgh	\$495.00	3-3-86	37
1477	Walkowski, E.	Honeywell Large Systems Users Association Conference-Phoenix, Arizona	\$3,500.00	10-5-86	1120

TRAVEL REQUEST
CITY PLANNING
ROBERT LURCOTT, DIRECTOR

<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
221	Branca, S.	Winter Cities Planning Forum - Edmonton, Canada	\$1,200.00	2-15-86	117
1539	Brown, J.	American Planning Assoc. Sixth Annual Zoning Institute concerning zoning and land-use control topics and issues	\$1,000.00	11-9-86	1198
1662	Burke, J.	National Main Street Center Urban Demonstration Program Conference- Washington, D.C.	\$600.00	11-11-86	1275
58	Erenrich, G.	Transportation Research Boards 65th Annual Meeting-Washington, D.C.	\$335.70	1-13-86	25
440	Farmer, P.	APA National Planning Conference - Los Angeles, California	\$2,600.00	4-5-86	261
777	Harris, D.	Workshop-Jessup, Maryland	\$200.00	5-8-86	566
59	Holt, W.	How to Manage the Office Staff Seminar-Pittsburgh PA.	\$165.00	1-17-86	26
118	Holt, W.	How to Manage the Office Staff Seminar - Pittsburgh, PA.	\$165.00	1-17-86	39
275	Just, F.	National Community Development Association - Washington, D.C.	\$950.00	3-18-86	149
323	Lurcott, R.	APA National Planning Conference - Los Angeles, California	\$1,300.00	4-5-86	191
1232	Lurcott, R.	To meet with state officials concerning the status of the Strategy 21 Economic Development Projects-Harrisburg, PA.	\$300.00	7-29-86	946

TRAVEL REQUEST
CITY PLANNING
ROBERT LURCOTT, DIRECTOR

<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
1355	Lurcott, R.	Fourth Annual Conference Urban Waterfronts '86- Washington, D.C.	\$700.00	9-25-87	1048
686	Tymoczko, S.	HUD'S Project Self- Sufficiency Workshop- Arlington, Virginia	\$450.00	4-20-86	503
1177	Wells, E.	Urban and Regional Information Systems Association Conference- Denver, Colorado	\$1,300.00	8-8-86	912
274	Young, R.	National Community Development Association - Washington, D.C.	\$950.00	3-18-86	149

TRAVEL REQUEST
COMMISSION ON HUMAN RELATIONS
JOHN E. GABRIEL, DIRECTOR

46	Burden, L.	Microcomputer Training for Fair Employment Practices Agencies - Harper's Ferry, West Virginia	\$650.00	2-2-86	24
312	Gabriel, J.	EEOC Conference - Baltimore, Maryland	\$900.00	3-17-86	189
47	Robinson, H.	Microcomputer Training for Fair Employment Practices Agencies - Harper's Ferry, West Virginia	\$460.00	2-9-86	24
312	Wellons, C.	EEOC Conference - Baltimore, Maryland	\$900.00	3-17-86	189

TRAVEL REQUEST
DEPARTMENT OF ENGINEERING AND CONSTRUCTION
PAUL MCDERMOTT, DIRECTOR

<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
908	Barczak, S.	Third Annual International Bridge Conference and Exhibit- Pittsburgh Hilton Hotel	\$1,820.00	6-2-86	645
908	Connors, R.	Third Annual International Bridge Conference and Exhibit- Pittsburgh Hilton Hotel	\$1,820.00	6-2-86	645
908	Kollmeyer, D.	Third Annual International Bridge Conference- Pittsburgh Hilton Hotel	\$1,820.00	6-2-86	645
240	Kubit, A.	Highway Capacity and Quality Flow Training Seminar - Baltimore, Maryland	\$580.00	2-24-86	144
908	Lockard, D.	Third Annual International Bridge Conference- Pittsburgh Hilton Hotel	\$1,820.00	6-2-86	645
1154	McDermott, P.	1986 International Congress on Technology Exchange Preliminary Program- Sheraton Hotel	\$300.00	10-6-86	908
1853	McDermott, P.	Meeting with Federal Interstate Tax Force- Harrisburg, PA	\$300.00	11-12-86	1433
582	McDermott, P.	Automated Mapping/ Facilities Management Eastern Regional Conference-Williamsburg, Virginia	\$1,250.00	5-4-86	429

TRAVEL REQUEST
DEPARTMENT OF ENGINEERING AND CONSTRUCTION
PAUL MCDERMOTT, DIRECTOR

<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
908	McDermott, P.	Third Annual International Bridge Conference-Pittsburgh Hilton Hotel	\$1,820.00	6-2-86	645
1704	McDermott, P.	Market Street Project-Indianapolis, Indiana	\$725.00	10-28-86	1331
164	McDermott, P.	National Infrastructure Act (Testify) - Altoona, Pennsylvania	\$180.00	1-24-86	80
70	McDermott, P.	Small-Scale Hydroelectric Power Conference-Arlington, Virginia	\$875.00	3-11-86	32
908	Reginela, F.	Third Annual International Bridge Conference-Pittsburgh Hilton Hotel	\$1,820.00	6-2-86	645
908	Sciulli, A.	Third Annual International Bridge Conference-Pittsburgh Hilton Hotel	\$1,820.00	6-2-86	645
239	Sciulli, A.	Make Presentation-University of Pittsburgh's Johnstown Campus	\$50.00	3-20-86	144
908	Semieraro, J.	Third Annual International Bridge Conference-Pittsburgh Hilton Hotel	\$1,820.00	6-2-86	645
1704	Siess, W.	Market Street Project-Indianapolis, Indiana	\$725.00	10-28-86	1331
908	Stempkowski, M	Third Annual International Bridge Conference-Pgh. Hilton Hotel	\$1,820.00	6-2-86	645

TRAVEL REQUEST
ENGINEERING AND CONSTRUCTION
PAUL MCDERMOTT, DIRECTOR

<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
908	Tumas, J.	Third Annual International Bridge Conference- Pittsburgh Hilton Hotel	\$1,820.00	6-2-86	645
14	Valent, John	Roundtable #29-Boston, Massachusetts	\$275.00	2-26-86	19
908	Weres, J.	Third Annual International Bridge Conference- Pittsburgh Hilton Hotel	\$1,820.00	6-2-86	645
163	Wharton, R.	Supervisor's Development Program - Monroeville, Pennsylvania		2-20-86	79
1296	Wharton, R.	Construction Claims Seminar-Boston, Massachusetts	\$1,100.00	10-20-86	1039
1573	Wharton, R.	Construction Claims Seminar-Pittsburgh, PA	\$550.00	10-7-86	1224
1704	Wolfe, P.	Market Street Project- Indianapolis, Indiana	\$725.00	10-28-86	1331

TRAVEL REQUEST
ENVIRONMENTAL SERVICES
J. NORMAN WALKER, DIRECTOR

1855	Allen, D.	P.C.O. Training and Update Program- Dravosburg, PA	\$150.00	12-2-86	1433
1855	Allen, R.	P.C.O. Training and Update Program- Dravosburg, PA	\$150.00	12-2-86	1433
710	Durham, M.	Professional Development for the Senior-Level Secretary Seminar- Pittsburgh, PA	\$225.00	6-11-86	531

**TRAVEL REQUEST
ENVIRONMENTAL SERVICES
J. NORMAN WALKER, DIRECTOR**

<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
244	Gibson, P.	Executive Committee Meeting, Pennsylvania Vector Control Association - Carlisle, Pennsylvania	\$300.00	3-18-86	145
1414	Givson, P.	Annual Conference of the PA. Vector Control Association-White Haven, PA.	\$1,200.00	10-15-86	1086
1018	Grinage, C.	Human Society of the United States Animal Control Academy-Des Moines, Iowa	\$4,200.00	7-14-86	794
1466	Grinage, C.	Animal Control Academy-Chesapeake, Virginia	\$4,400.00	11-10-86	1119
1855	Hauser, E.	P.C.O. Training and Update Program-Dravosburg, PA	\$150.00	12-2-86	1433
534	Infante, V.	Animal Control Academy-Memphis, Tennessee	\$3,400.00	4-12 to 5-2-86	411
166	Lapp, J.	Animal Control Academy - Tuscaloosa, Alabama	\$2,900.00	3-17-86	80
1302	Lewis, R.	Government Refuse Collection and Disposal Association's Eastern Regional Solid Waste Symposium and Equipment Show-Timonium, Maryland	\$900.00	10-15-86	1040
1090	Mabrey, D.	Equipment, Services and Systems Show-Reno, Nevada	\$1,400.00	8-11-86	860
764	McMeekin, B.	Animal Control Assoc. Seminar-Columbus, Georgia	\$1,600.00	6-19-86	565
1414	McMeekin, B.	Annual Conference of the PA. Vector Control Assoc. White Haven, PA.	\$1,200.00	10-15-86	1086

**TRAVEL REQUEST
ENVIRONMENTAL SERVICES
J. NORMAN WALKER, DIRECTOR**

<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
1018	Mincin, L.	Human Society of the United States Animal Control Academy-Des Moines, Iowa	\$4,200.00	7-14-86	794
1466	Mincin, L.	Animal Control Academy- Chesapeake, Virginia	\$4,400.00	11-10-86	1119
1466	Morgan, F.	Animal Control Academy- Chesapeake, Virginia	\$4,400.00	11-10-86	1119
1018	Morgan, F.	Human Society of the United States Animal Control Academy-Des Moines, Iowa	\$4,200.00	7-14-86	794
710	Osekowski, J.	Professional Development for the Senior-Level Secretary Seminar- Pittsburgh, PA	\$225.00	6-11-86	531
1855	Rivers, J.	P.C.O. Training and Update Program- Dravosburg, PA	\$150.00	12-2-86	1433
166	Sizemore, R.	Animal Control Academy - Tuscaloosa, Alabama	\$2,900.00	3-17-86	80
534	Spells, C.	Animal Control Academy- Memphis, Tennessee	\$3,400.00	4-12 to 5-2-86	411
1855	Todd, J.	P.C.O. Training and Update Program- Dravosburg, PA	\$150.00	12-2-86	1433
1302	Watt, P.	Government Refuse Collection and Disposal Association's Solid Waste Symposium and Equipment Show- Timonium, Maryland	\$900.00	10-15-86	1040

TRAVEL REQUEST
DEPARTMENT OF FINANCE
RONALD C. SCHMEISER, DIRECTOR

<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
45	Connors, W.	Professional Development Course	\$160.00		24
480	Danko, B.	GFOA Conference - Carlisle, PA	\$800.00	4-23-86	318
883	Evers, P.	Inspection tour of "The Islands" Restaurant-Cincinnati, Ohio	\$250.00	5-7-86	628
480	Gula, J.	GFOA Conference - Carlisle, PA	\$800.00	4-23-86	318
803	Gula, J.	"How to Supervise People" seminar-Westin William Penn Hotel	\$177.00	4-27-86	587
44	Gula, J.	Management Skills for Women in Business - Pittsburgh, PA	\$200.00	3-18-86	24
184	Liotus, D.	American Society for Public Administration's 47th National Conference - Anaheim, California	\$3,000.00	4-11-86	82
137	Marks, C.	Government Finance Officers Association's 80th Annual Conference - Los Angeles, California	\$5,900.00	5-31 to 6-4-86	51
803	Murphy, C.	"How to Supervise People" seminar-Westin William Penn Hotel	\$177.00	5-27-86	587
680	Murphy, R.	Professional Education Seminar-Arlington, Virginia	\$950.00	5-22-86	503
1545	Schillo, S.	Municipal Finance After Tax Reform-Arlington, Virginia	\$1,200.00	11-6-86	1199
1516	Schillo, S.	General Obligation and Tax-Supported Debt Ratings-Orlando, Florida	\$990.00	10-26-86	1163
137	Schillo, S.	Government Finance Officers Association's 80th Annual Conference - Los Angeles, California	\$5,900.00	5-31 to 6-4-86	51

TRAVEL REQUEST
DEPARTMENT OF FINANCE
RONALD SCHMEISER, DIRECTOR

<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
45	Schillo, S.	Professional Development Course	\$160.00		24
480	Schillo, S.	GFOA Conference - Carlisle, PA	\$800.00	4-23-86	318
138	Schillo, St.	Up-to-date Capital Financing - Salt Lake City Utah	\$2,800.00	2-9-86	51
137	Schmeiser, R.	Government Finance Officers Association's 80th Annual Conference - Los Angeles, California	\$5,900.00	5-31 to 6-4-86	51
139	Schmeiser, R.	Government Finance Officers Association Committee on Governmental Debt and Fiscal Policy	\$350.00	2-23-86	51
1388	Schmeiser, R.	"How to Finance Public Infrastructure Needs New- port Beach, California	\$1,750.00	10-6-86	1061
725	Schmeiser, R.	Subcommittee meeting on tax policy-Washington, D.C.	\$250.00	5-12-86	533
679	Sciortino, H.	Government Finance Officers Association's-Los Angeles, California	\$1,700.00	5-31 to 6-4-86	502
480	Sciortino, H.	GFOA Conference - Carlisle, PA	\$800.00	4-23-86	318
479	Sciortino, H.	Amendment to Council Bill No. 138 of 1986 Seminar - Boston, Mass.	3-24-86	318	
45	Sciortino, H.	Professional Development Course	\$160.00		24
184	Sellers, J.	American Society for Public Administration's 47th National Conference - Anaheim, California	\$3,000.00	4-11-86	82
803	Smulski, R.	"How to Supervise People" seminar-Westin William Penn Hotel	\$177.00	5-27-86	587
270	Turner, J.	Urban Affairs Association's Annual Conference - Fort Worth, Texas	\$950.00	3-6-86	148

TRAVEL REQUEST
DEPARTMENT OF FINANCE
RONALD C. SCHMEISER, DIRECTOR

<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
138	Turner, J.	Up-to-date Capital Financing - Salt Lake City Utah	\$2,800.00	2-9-86	51
137	Turner, J.	Government Finance Officers Association's 80th Annual Conference - Los Angeles, California	\$5,900.00	5-31 to 6-4,	51
429	Wise, M.	Introduction to Lotus 1-2-3 -Pittsburgh, PA	\$165.00	3-18 to 5-13-86	259
1517	Yakich, R.	Techniques for Collecting Accounts Receivable- Chatham Center	\$195.00	10-28-86	1164

TRAVEL REQUEST
DEPARTMENT OF GENERAL SERVICES
GEORGE W. JACOBY, DIRECTOR

23	Botsford, D.	Maintenance Management Course - Pittsburgh, Pennsylvania	1,250.00	2-5-86	21
215	Burger, B.	Western Pennsylvania Safety Council - Monroeville, Marriott	\$30.00	2-25-86	116
623	Burger, B.	National Safety Council Public Employees Section Executive Committee Meeting- Milwaukee, Wisconsin	\$800.00	6-23-86	466
1304	Burger, B.	National Safety Council's Congress and Exposition- Chicago, Illinois	\$1,100.00	10-19-86	1040
1305	Burger, B.	Western PA. Safety Council's "Safety Management Techniques" Certification Course-Monroeville, PA	\$600.00	9-15-86	1040
1624	Burgy, N.	Maintenance of Commercial Vehicles course-University Park, PA	\$650.00	11-18-86	1246
465	Burgy, N.	Scan-Two Seminar - Chicago, Illinois	\$800.00	4-16-86	316

TRAVEL REQUEST
DEPARTMENT OF GENERAL SERVICES
GEORGE JACOBY, DIRECTOR

<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
24	Burgy, N.	Installation of Fleet Management software package - Boston, Massachusetts	\$3,000.00	2-10-86	21
24	Davis, J.	Installation of Fleet Management software package - Boston, Massachusetts	\$3,000.00	2-10-86	21
711	Davis, J.	Vehicle Maintenance Facilities Management Workshop-Indianapolis, Indiana	\$2,000.00	5-11-86	531
23	Gerall, M.	Maintenance Management Course - Pittsburgh, Pennsylvania	\$1,250.00	2-5-86	21
537	Jacoby, G.	Contracting for Services Seminar-Atlanta, Georgia	\$700.00	4-24-86	412
1934	Jones, J.	Water Mechanics Seminar- St. Paul, Minnesota	\$1,650.00	12-8-86	1514
621	Malesky, C.	Regional Procurement Conference-Washington, D.C.	\$500.00	4-16-86	466
622	Malesky, C.	National Institute of Government Purchasing's 41st Annual Conference- Washington, D.C.	\$1,500.00	8-3-86	466
622	Melnick, R.	National Institute of Government Purchasing's 41st Annual Conference- Washington, D.C.	\$1,500.00	8-3-86	466
465	Melnick, R.	Scan-Two Seminar - Chicago, Illinois	\$800.00	4-16-86	316
466	Orth, R.	Waterous Mechanics - St. Paul, Minnesota	\$1,500.00	4-15-86	316
874	Perrett, D.	Dealing with Vendors & Supplies-Pittsburgh Hyatt	\$400.00	6-25-86	627
66	Pucciarelli, H.	Waterous Mechanics- St. Paul, Minnesota	\$1,500.00	4-15-86	316

TRAVEL REQUEST
DEPARTMENT OF GENERAL SERVICES
GEORGE JACOBY, DIRECTOR

<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
874	Ross, K.	Dealing with Vendors & Supplies-Pittsburgh Hyatt	\$400.00	6-25-86	627
538	Sadowski, E.	Mechanical and Electrical Estimating Seminar-Station, Square-Pittsburgh, PA	\$600.00	4-30 to 5-1-86	412
1934	Schuler, R.	Water Mechanics Seminar- St. Paul, Minnesota	\$1,650.00	12-8-86	1514
711	Smith, R.	Vehicle Maintenance Facilities Management Workshop-Indianapolis, Indiana	\$2,000.00	5-11-86	531
24	Smith, R.	Installation of Fleet Management software package - Boston, Massachusetts	\$3,000.00	2-10-86	21
24	St. Clair, E.	Installation of Fleet Management software package - Boston, Massachusetts	\$3,000.00	2-10-86	21
24	Walkowski, E.	Installation of Fleet Management software package - Boston, Massachusetts	\$3,000.00	2-10-86	21

TRAVEL REQUEST
DEPARTMENT OF LAW
DANTE R. PELLEGRINI, CITY SOLICITOR

723	Pellegrini, D.	Executive Committee of the National Institute of Municipal Law Officers- Dallas, Texas	\$300.00	6-16-86	533
1122	Pellegrini, D.	51st Annual National Institute of Municipal Law Officers Conference- San Diego, California	\$2,500.00	10-3-86	885

TRAVEL REQUEST
DEPARTMENT OF LAW
DANTE R. PELLEGRINI, CITY SOLICITOR

<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
1169	Smith, R.	Third Circuit Judicial Conference-Princeton, New Jersey	\$650.00	9-21-86	910

TRAVEL REQUEST
MAYOR'S OFFICE
RICHARD S. CALIGUINI

951	Donahoe, D.	National League of Cities Seminar on Financing Infrastructure and Economic Development-Hartford, Connecticut	\$398.00	7-12-86	673
1515	Donahoe, D.	Meeting of Mayors and other public officials concerning the impact of the new tax reform legislation-New York City	\$400.00	10-6-86	1163
593	Donahoe, D.	Legislative meeting- Harrisburg, PA	\$350.00	4-22-86	431
1740	Donahoe, D.	Partners for Livable Places meeting- Washington, D.C.	\$400.00	11-13-86	1336
1779	Gerall, M.	All-American City Award Competition- Kansas City, Missouri	\$700.00	11-7-86	1380
1254	Gerall, M.	Participate in the Leadership Pittsburgh Program	\$1,500.00		966
1739	Sickle, J.	PA. Commission for Women Conference- Harrisburg, PA	\$200.00	11-15-86	1336
1097	Sickle, J.	National Assoc. of Housing and Redevelopment Officials-Chicago, Illinois	\$1,000.00	9-26-86	861

TRAVEL REQUEST
MAYOR'S OFFICE
RICHARD S. CALIGUIRI, MAYOR

<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
802	Sickle, J.	National Assoc. of Commissions for Women- Chicago, Illinois	\$1,000.00	6-17-86	587
594	Simms, J.	Hands Across America meeting-Washington, D.C.	\$350.00	4-15-86	431
310	Simms, J.	Executive Committee Board Meeting of the National Forum of Black Public Administrators - Washington, D.C.	\$500.00	3-1-86	189
311	Simms, J.	National Forum for Black Public Administrators' Forum 1986 Conference - Chicago, Illinois	\$1,000.00	4-27-86	189
427	Whitmer, G.	Legislative meetings - Harrisburg, PA	\$350.00	4-1-86	259
556	Whitmer, G.	Legislative meetings- Harrisburg, PA	\$350.00	4-22-86	414
1222	Whitmer, G.	PA. League of Cities Conference-Harrisburg, PA	\$300.00	7-23-86	944
952	Whitmer, G.	1986 Pennsylvania League of Cities Convention- Philadelphia, PA.	\$750.00	6-25-86	673
1320	Whitmer, G.	State Budget Office- Harrisburg, PA	\$350.00	8-5-86	1043
1780	Whitmer, G.	Board meeting of the Pennsylvania State League of Cities-Reading, PA.	\$350.00	10-29-86	1380
43	Whitmer, G.	HUD/Department of Energy/ US Conference of Mayors - Washington, D.C.	\$800.00	2-21-86	23
113	Whitmer, G.	Pennsylvania League of Cities - Philadelphia, PA	\$350.00	1-16-86	38

**TRAVEL REQUEST
PARKS AND RECREATION
LOUISE R. BROWN, DIRECTOR**

<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
877	Amending C.B. 389	Increasing Cost from \$1,750.00 to \$2,500.00			628
1674	Ashley, D.	PA. Local Arts Network Conference-State College, Pennsylvania	\$392.00	11-9-86	1277
1939	Balbot, B.	Annual Conference of the Pennsylvania Alliance for Environmental Education-Williamsport, Pennsylvania	\$610.00	11-14-86	1515
258	Balbot, B.	Natural Science Solar Center - Milford, Pennsylvania	\$50.00	2-28 to 3-2-86	147
1865	Berkowitz, A.	Road Race Management's Race Director's Meeting and Trade Exhibit-Washington, D.C.	\$500.00	11-14-86	1435
548	Billin, K.	American Association of Zoo Parks and Aquariums Northeastern Regional Conference-Mystic Connecticut	\$1,510.00	5-4-86	413
1095	Bradley, M.	Chaperon youths to Arco Jesse Owens Games-Philadelphia, PA.	No Cost	7-12-86	861
1210	Brown, L.	National Recreation and Park Association's 1986 Congress-Anaheim, California	\$2,900.00	10-16-86	943
798	Brown, L.	President's Commission on Americans Outdoors-Baltimore, Maryland	\$950.00	5-28-86	586
1211	Clack, L.	American Federation of Aviculture Convention-New Orleans, Louisiana	\$500.00	8-6-86	943
1213	Clack, L.	1986 American Assoc. of Zoological Parks and Aquariums National Convention-Minneapolis, Minnesota	\$1,360.00	9-14-86	943

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1208	Cogley, J.	Parks and Recreation's Safety Management Conference- Lanham, Maryland	\$450.00	9-10-86	942
1210	Cogley, J.	National Recreation and Park Association's 1986 Congress-Anaheim, California	\$2,900.00	10-16-86	943
1942	Cogley, J.	National Association for Olmsted Parks Conference	\$1,000.00	11-6-86	1515
258	Costanzo, P.	Natural Science Solar Center - Milford, Pennsylvania	\$50.00	2-28 to 3-2-86	147
1161	Davis, S.	Coach for the USA Cerebral Palsy Sports Team-Windsor, Ontario, Canada	No cost	8-1-86	909
1941	Davis, S.	Pittsburgh Goal Getters Swimming Team to compete in the 1986 Jr. Orange Bowl Sports Ability Games-Miami, Florida		11-20-86	1515
388	Davis, S.	Therapeutic Recreation Management School- Wheeling, West Virginia	\$622.00	3-16-86	227
1940	Duncan, L.	Attend the Hot Shot Basketball Finals- Cleveland, Ohio		11-21-86	1515
1939	Dziubek, D.	Annual Conference of the Pennsylvania Alliance for Environmental Education- Williamsport, Pennsylvania	\$610.00	11-14-86	1515

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258	Dziubek, D.	Natural Science Solar Center - Milford, Pennsylvania	\$50.00	2-28 to 3-2-86	147
715	Ellerbrock, H.	International Herpetological Symposium on Captive Propagation and Husbandry- San Antonio, Texas	\$400.00	6-25-86	531
1671	Fleeger, D.	PA. Local Arts Network Conference-State College, Pennsylvania		11-9-86	1277
1095	Ford, L.	Chaperon youths to Arco Jesse Owens Games- Philadelphia, PA.	No Cost	7-12-86	861
1732	Fraizer, J.	On-the-Job Training- Columbus Zoo	\$500.00	12-1-86	1336
1021	Friday, R.	Outdoor Challenge Pgh. Summer Program-Cambria, Westmoreland, Somerset and Fayette Counties	\$50.00	7-8 to 8-5-86 8-12-86	795
106	Friday, R.	Wildlife Management-Park Management-A Natural Combination - University Park, Pennsylvania	\$115.00	2-5-86	36
1939	Friday, R.	Annual Conference of the Pennsylvania Alliance for Environmental Education- Williamsport, Pennsylvania	\$610.00	11-14-86	1515
714	Glick, C.	American Society of Primatologists-Austin, Texas	\$1,126.00	6-28 to 7-2-86	531
1159	Goodlett, R.	American Association of Zoological Parks and Aquariums' National Conference-Apple Valley, Minnesota	\$5,000.00	9-14-86	909
257	Goodlett, R.	Professional Management Development Course - Wheeling, West Virginia	\$675.00	2-2-86	146

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548	Goodlett, R.	American Association of Zoo Parks and Aquariums Northeastern Regional Conference-Mystic Connecticut	\$1,510.00	5-4-86	413
178	Grebb, R.	International Symposium World Conservation Strategies for Tigers - Minneapolis, Minnesota	\$998.00	4-13-86	82
797	Greenspan, R.	"Seed-Saving Seminar"- Accokeek, Maryland	\$50.00	5-5-86	586
105	Hammer, B.	United States Tennis Association - Atlanta, Georgia	\$500.00	2-5-86	36
1731	Hammer, B.	USTA National Junior Tennis-Los Angeles, California	\$100.00	11-14-86	1335
258	Hendrickson, L.	Natural Science Solar Center - Milford, Pennsylvania	\$50.00	2-28 to 3-2-86	147
387	Herrman, C.	Professional Secretary Workshop - Sheraton, Station Square	\$165.00	2-19-86	227
1095	Herron, A.	Chaperon youths to Arco Jesse Owens Games- Philadelphia, PA.	No Cost	7-12-86	861
1095	Herron, P.	Chaperon youths to Arco Jesse Owens Games- Philadelphia, PA.	No Cost	7-12-86	861
1940	Herron, P.	Attend the Hot Shot Basketball Finals- Cleveland, Ohio		11-21-86	1515
1669	Holder, H.	Medic First Aid Instructor Trainer Course-Jamaica, New York	\$650.00	10-15-86	1276
179	Huber, K.	Swimming Pool and Aquatic Conference and Trade Show - Chicago, Illinois	\$840.00	3-15-86	82

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389	Mancuso, C.	State Conference of the Pennsylvania Recreation and Park Society - Hershey, Pennsylvania	\$1,750.00	4-4-86	227
548	Marks, M.	American Association of Zoo Parks and Aquariums Northeastern Regional Conference-Mystic Connecticut	\$1,510.00	5-4-86	413
1159	Maxim, D.	American Association of Zoological Parks and Aquariums' National Conference-Apple Valley, Minnesota	\$5,000.00	9-14-86	909
1673	Maxim, D.	African Rhino Conference- Cincinnati, Ohio	\$750.00	10-26-86	1277
1670	McFarland, R.	Road Race Management's Race Director's Meeting and Trade Exhibit-Washington, D.C.	\$1,000.00	11-14-86	1276
1667	McGuire, D.	Zoo University Connections: Collaborative Efforts in the Conservation of Endangered Primates-Madison, Wisconsin	\$690.00	10-14-86	1276
878	McGuire, D.	Training on the care of Gorillas-Cincinnati Zoo	\$500.00	5-15-86	628
108	Merritt, A.	Annual Legislative Conference and PRPS Meeting - Harrisburg, Pennsylvania	\$185.00	1-21-86	37
389	Merritt, A.	State Conference of the Pennsylvania Recreation and Park Society - Hershey, Pennsylvania	\$1,750.00	4-4-86	227
108	Merritt, C.	Annual Legislative Conference and PRPS Meeting - Harrisburg Pennsylvania	\$185.00	1-21-86	37

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259	Merritt, C.	Making Sponsorship Work - Chicago, Illinois	\$1,000.00	3-10-86	147
389	Merritt, C.	State Conference of the Pennsylvania Recreation and Park Society - Hershey, Pennsylvania	\$1,750.00	4-4-86	227
107	Miller, J.	PACT Showcase '86 - New York City	\$800.00	3-3-86	37
1095	Parrish, P.	Chaperon youths to Arco Jesse Owens Games- Philadelphia, PA.	No Cost	7-12-86	861
1212	Pizzi, F.	6th Annual Assoc. of Zoo Horticulture-Seattle, Washington	\$440.00	9-6-86	943
1670	Radley, M.	Road Race Management's Race Director's Meeting and Trade Exhibit-Washington, D.C.	\$1,000.00	11-14-86	1276
389	Rengers, D.	State Conference of the Pennsylvania Recreation and Park Society - Hershey, Pennsylvania	\$1,750.00	4-7-86	227
471	Robbins, C.	Computer Classes - Pittsburgh, PA	\$165.00	1-15-86	316
108	Rotunda, R.	Annual Legislative Conference and PRPS Meeting - Harrisburg, Pennsylvania	\$185.00	1-21-86	37
389	Rotunda, R.	State Conference of the Pennsylvania Recreation and Park Society - Hershey, Pennsylvania	\$1,750.00	4-4-86	227
389	Rutkowski, S.	State Conference of the Pennsylvania Recreation and Park Society - Hershey, Pennsylvania	\$1,750.00	4-4-86	227
472	Senko, M.	National Council on Aging Conference - Washington, D.C.	\$900.00	4-9-86	317

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1095	Stevenson, A.	Chaperon youths to Arco Jesse Owens Games- Philadelphia, PA.	No Cost	7-12-86	861
1668	Strasser, P.	Metro Toronto Zoo-Toronto, Ontario, Canada	\$200.00	9-8-86	1276
1672	Wagner, R.	AAZV Annual Meeting- Chicago, Illinois	\$600.00	11-2-86	1277
1673	Wagner, R.	African Rhino Conference- Cincinnati, Ohio	\$750.00	10-26-86	1277
548	Wagner, R.	American Association of Zoo Parks and Aquariums Northeastern Regional Conference-Mystic Connecticut	\$1,510.00	5-4-86	413
799	Wagner, R.	Association of Avian Veterinarians Annual Conference-Miami, Florida	\$950.00	6-16-86	586
1159	Walsh, T.	American Association of Zoological Parks and Aquariums' National Conference-Apple Valley, Minnesota	\$5,000.00	9-14-86	909
548	Walsh, T.	American Association of Zoo Parks and Aquariums Northeastern Regional Conference-Mystic Connecticut	\$1,510.00	5-4-86	413
1939	Watts, H.	Annual Conference of the Pennsylvania Alliance for Environmental Education- Williamsport, Pennsylvania	\$610.00	11-14-86	1515
258	Watts, H.	Natural Science Solar Center - Milford, Pennsylvania	\$50.00	2-28 - 3-2-86	147
1159	Wikenhauser, C.	American Association of Zoological Parks and Aquariums' National Conference-Apple Valley, Minnesota	\$5,000.00	9-11-86	909

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390	Wikenhauser, C.	AAZPA Mid-Year Accreditation Meeting - Maton Rouge, Louisiana	\$643.00	3-16-86	227
879	Wikenhauser, C.	Special Survival Program for Gorillas-Chicago, Illinois	\$463.00	4-7-86	628
256	Zebrowski, M.	Revenue Sources Management School - Oglebay Park, West Virginia	\$500.00	3-9-86	146

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681	Brown, B.	Project Self Sufficiency- Washington, D.C.	\$250.00	4-21-86	503
49	Brown, B.	PA. Department of Labor and Industry workshop Harrisburg, PA	\$200.00	1-21-86	24
1875	Brown, B.	Commonwealth of Pennsylvania Department of Labor and Industry Youth Training Seminar-Harrisburg, PA	\$280.00	12-4-86	1436
48	Farley, D.	National Alliance of Business Conference - Washington, D.C.	\$800.00	2-17-86	24
394	Farley, D.	Pennsylvania Service Delivery Area Association - Harrisburg, PA	\$350.00	3-5-86	228
430	Farley, D.	Department of Labor and Industry Meeting - Harrisburg, PA	\$350.00	3-10-86	259
182	Farley, D.	Pennsylvania Service Delivery Area Assoc. - Harrisburg, Pennsylvania	\$350.00	1-31-86	82

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1817	Farley, D.	Annual meeting of the United States Conference on Mayors and Training Council-Washington, D.C.	\$900.00	1-20-86	1403
841	Farley, D.	Pennsylvania Service Delivery Area Assoc.- Harrisburg, PA	\$350.00	5-29-86	605
1072	Farley, D.	PA. Service Delivery Area Association- Harrisburg, PA.	\$350.00	7-24-86	830
1321	Farley, D.	U.S. Conference of Mayor's Employment and Training Council Board Meeting-Chicago, IL	\$800.00	9-14-86	1043
1322	Farley, D.	PA. State Job Training Coordinating Council- Harrisburg, PA	\$350.00	8-27-86	1043
1430	Farley, D.	Pennsylvania Service Delivery Area Association- Harrisburg, PA	\$350.00	9-25-86	1088
953	Fortson, W.	Management Information Systems Seminar- Harrisburg, PA	\$700.00	9-19-86	673
637	Gove, S.	Third National Labor Management Conference- Washington, D.C.	\$850.00	5-28-86	469
953	Heal, E.	Management Information Systems Seminar- Harrisburg, PA	\$700.00	6-19-86	673
50	Johnson, T.	Jobstart Training Conference - Washington, D.C.	\$950.00	1-21-86	24
1518	Klein, J.	Single Audit Act Seminar-Robert Morris College	\$175.00	10-9-86	1164
1783	McCafferty, A.	Pennsylvania Service Delivery Area Association- Harrisburg, PA	\$350.00	11-20-86	1380

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50	McCafferty, A.	Jobstart Training Conference - Washington, D.C.	\$950.00	1-21-86	24
638	McCafferty, A.	Pennsylvania Service Delivery Area Association Conference-Seven Springs, Pennsylvania	\$275.00	4-30 to 5-2-86	469
724	Nagy, R.	1986 International Personnel Management Assoc. Conference- Albany, New York	\$950.00	6-1-86	533
183	Rodgers, H.	Aids in the Workplace - Washington, D.C.	\$250.00	3-26-86	82
220	Schneider, B.	National Public Employer Labor Relations Associations 15th Annual Conference - Clearwater Beach, Florida	\$1,400.00	3-16-86	117
183	Schneider, B.	Aids in the Workplace - Washington, D.C.	\$250.00	3-26-86	82
1816	Woodcock, T.	Two-day Seminar- Washington, D.C.	\$900.00	12-3-86	1403
954	Woodcock, T.	Pennsylvania Dept. of Labor and Industry- Harrisburg, PA	\$350.00	6-5-86	673

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739	10 Employees	Teleprofessionalism Workshop for Communication Clerks-Pittsburgh, PA	\$1,000.00	4-25-86	535
571	10 Staff Members	Various legislative meetings-Harrisburg, PA	\$10,000.00		417
738	36 Members	State Fire Academy- Lewistown, PA.	\$4,900.00	4-27-86	535

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1100	37 Members	State Fire Academy- Lewistown, PA	\$6,500.00	8-3-86	861
444	63 Persons	Any of Certain classes at the National Emergency Training Center - Emmitsburg, Maryland	\$5,000.00		262
890	Apena, B.	Forward to the Furture- Arlington, Virginia	\$3,175.00	5-27-86	629
892	Apena, B.	Leadership and Supervisory Skills for Women-Pittsburgh, Pennsylvania	\$590.00	5-23-86	630
329	Bauer, J.	58th Annual Fire and Rescue Instructors Conference - Cincinnati, Ohio	\$3,950.00	3-15-86	192
890	Beck, V.	Forward to the Furture- Arlington, Virginia	\$3,175.00	5-27-86	629
1362	Beck, V.	Training seminar- Rosslyn, Virginia	\$1,000.00	8-16-86	1049
119	Bisceglia, L.	How to Manage the Office Staff-Pittsburgh, Pennsylvania	\$600.00	1-17-86	39
891	Boylan, C.	Pratical Tactical Considerations for Hazardous Materials Incident-Pittsburgh, Pennsylvania	\$250.00	5-17-86	630
999	Bronder, J.	Phase III, Module II, Low Head Dam Rescues-Harrisburg, PA.	\$325.00	6-21-86	740
650	Bronder, J.	Water Rescue Course- Harrisburg, PA	\$1,600.00	4-18-86	471
569	Bronder, J.	River Rescue Course- Belfont, PA	\$60.00	3-21-86	416
890	Bryant, M.	Forward to the Furture- Arlington, Virginia	\$3,175.00	5-27-86	629

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1787	Buford, E.	Conference hosted by Chicago Police Department-Chicago, Illinois	\$2,200.00	11-6-86	1381
997	Burgman, G.	EMS Conference-Harrisburg, PA	\$1,200.00	6-27-86	740
119	Burgman, G.	How to Manage the Office Staff-Pittsburgh, Pennsylvania	\$600.00	1-17-86	39
122	Burgman, G.	EMS Today Conference and Pre-Conference Workshops- San Diego, California	\$8,000.00	2-17-86	39
886	Burke, W.	Summer Dispatchers Seminar-Wilmington, Delaware	\$1,500.00	7-29-86	629
121	Cannon, G.	International Disaster Management Conference 1986-Orlando, Florida	\$3,000.00	2-6-86	39
122	Cannon, G.	EMS Today Conference and Pre-Conference Workshops- San Diego, California	\$8,000.00	2-17-86	39
329	Cannon, G.	58th Annual Fire and Rescue Instructors Conference - Cincinnati, Ohio	\$3,950.00	3-15-86	192
198	Cannon, G.	Pennsylvania Emergency Health Services Council - Harrisburg, PA	\$750.00	2-11-86	84
1074	Cannon, G.	Pa. Emergency Health Services Council- Harrisburg, PA	\$60.00	6-21-86	832
1236	Canova, L.	Automotive Training State Inspection-CCAC	\$150.00	7-21-86	947
892	Causey, M.	Leadership and Supervisory Skills for Women-Pittsburgh, Pennsylvania	\$590.00	5-23-86	630
1394	Causey, M.	24th Annual IAWP Training Conference- Denver, Colorado	\$2,700.00	9-6-86	1061

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849	Cimino, D.	71st Annual Code Development and Educational Conference- St. Louis, Missouri	\$3,600.00	6-20-86	606
892	Coleman, O.	Leadership and Supervisory Skills for Women-Pittsburgh, Pennsylvania	\$590.00	5-23-86	630
890	Coleman, O.	Forward to the Future- Arlington, Virginia	\$3,175.00	5-27-86	629
1362	Coleman, O.	Training seminar- Rosslyn, Virginia	\$1,000.00	8-16-86	1049
1786	Conroy, C.	National Electrical Code Changes Seminar- Pittsburgh, PA	\$290.00	9-25-86	1381
648	Cox, R.	Results Management seminar-Pittsburgh, PA	\$800.00	4-29-86	470
1075	Crisanti, S.	IAI Conference- Wilkes-Barre, PA	\$250.00	6-26-86	832
1039	Daniel, J.	Officer in Trouble Seminar Washington, D.C.	\$750.00	6-22-86	798
1743	Daniel, J.	National Association for Children of Alcoholics Conference-East Rutherford, New Jersey	\$500.00	11-14-86	1337
599	DeNinno, R.	National Fire Protection Association Workshop-New Orleans, Louisiana	\$1,100.00	9-29-86	432
329	Deleonibus, F.	58th Annual Fire and Rescue Instructors Conference - Cincinnati, Ohio	\$3,950.00	3-15-86	192
569	Denson, H.	River Rescue Course- Belfont, PA	\$60.00	3-21-86	416
999	Denson, H.	Phase III, Module II, Low Head Dam Rescues-Harrisburg, PA.	\$325.00	6-21-86	740
650	Denson, H.	Water Rescue Course- Harrisburg, PA	\$1,600.00	4-18-86	471

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120	DiNardo, L.	Computer Aided Dispatching Consortium-St. Louis, Missouri	\$2,500.00	1-23-86	39
121	Dinardo, L.	International Disaster Management Conference 1986-Orlando, Florida	\$3,000.00	2-6-86	39
890	Doubt, C.	Forward to the Future-Arlington, Virginia	\$3,175.00	5-27-86	629
892	Doubt, C.	Leadership and Supervisory Skills for Women-Pittsburgh, Pennsylvania	\$590.00	5-23-86	630
1787	Doubt, C.	Conference hosted by Chicago Police Department-Chicago, Illinois	\$2,200.00	11-6-86	1381
1787	Edwards, C.	Conference hosted by Chicago Police Department-Chicago, Illinois	\$2,200.00	11-6-86	1381
890	Elliott, G.	Forward to the Future-Arlington, Virginia	\$3,175.00	5-27-86	629
892	Elliott, G.	Leadership and Supervisory Skills for Women-Pittsburgh, Pennsylvania	\$590.00	5-23-86	630
1394	Elliott, G.	24th Annual IAWP Training Conference-Denver, Colorado	\$2,700.00	9-6-86	1061
1362	Elliott, G.	Training seminar-Rosslyn, Virginia	\$1,000.00	8-16-86	1049
567	Faulkner, J.	L.A.A.I. Seminar-Atlanta, Georgia	\$2,500.00	4-26-86	416
817	Foster, L.	National Crime Prevention Institute Retraining Seminar-Louisville, Kentucky	\$800.00	5-2-86	416
62	Fox, B.	Drug Abuse Resistance Education Seminar-Los Angeles, California	\$3,000.00	6-22-86	590
				1-27-86	
				2-7-86	26

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329	Full, R.	58th Annual Fire and Rescue Instructors Conference - Cincinnati, Ohio	\$3,950.00	3-15-86	192
445	Garretson, D.	Committee Meeting of the Emergency Health Services - Harrisburg, PA	\$150.00	3-7-86	262
443	Garretson, D.	58th Annual Fire and Rescue Instructors Conference - Cincinnati, Ohio	\$700.00	3-15-86	262
122	Garretson, D.	EMS Today Conference and Pre-Conference Workshops - San Diego, California	\$8,000.00	2-17-86	39
997	Garretson, D.	EMS Conference - Harrisburg, PA	\$1,200.00	6-27-86	740
1879	Garretson, D.	Today Conference and Pre-Conference Workshops - San Diego, CA (Amend C.B. 122 to allow two additional days)		2-17-86	1437
328	Gourley, J.	National Fire Academy - Emmittsburg, Maryland	\$275.00	3-3-86	192
397	Graziano, R.	How to Conduct Plans Review and Inspection of Automatic Sprinkler Systems - West Palm Beach, Florida	\$900.00	4-13-86	228
153	Gregorchik, J.	FBI Hazardous Device School - Huntsville, Alabama	\$3,900.00	2-16 3-15-86	53
119	Haas, D.	How to Manage the Office Staff - Pittsburgh, Pennsylvania	\$600.00	1-17-86	39
648	Haas, D.	Results Management seminar - Pittsburgh, PA	\$800.00	4-29-86	470
651	Harding, L.	Firearms Training System - Toledo, Ohio	\$500.00	4-7-86	471
600	Harpur, J.	National Fire Academy - Emmittsburg, Maryland	\$275.00	4-21 to 5-2-86	432

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63	Harpur, J.	1986 Mid-Winter Meeting of BOCA International- Hunt Valley, Maryland	\$1,000.00	1-14-86	26
888	Harpur, J.	BOCA Conference- St. Louis, Missouri	\$2,500.00	6-22-86	629
849	Hegerle, H.	71st Annual Code Development and Educational Conference- St. Louis, Missouri	\$3,600.00	6-20-86	606
891	Henry, F.	Practical Tactical Considerations for Hazardous Materials Incident-Pittsburgh, Pennsylvania	\$250.00	5-17-86	630
740	Herr, D.	14th Annual In-Service Training Conference- Philadelphia, PA	\$900.00	5-25 4-26 to	535
567	Hitchings, T.	I.A.A.I. Seminar- Atlanta, Georgia	\$2,500.00	5-2-86	416
569	Huerbin, T.	River Rescue Course- Belfont, PA	\$60.00	3-21-86	416
650	Huerbin, T.	Water Rescue Course- Harrisburg, PA	\$1,600.00	4-18-86	470
999	Huerbin, T.	Phase III, Module II, Low Head Dam Rescues- Harrisburg, PA.	\$325.00	6-21-86	740
1362	Hunt, F.	Training seminar- Rosslyn, Virginia	\$1,000.00	8-16-86	1049
849	Imhoff, P.	71st Annual Code Development and Educational Conference- St. Louis, Missouri	\$3,600.00	6-20-86	606
647	Imhoff, P.	Association of Major City Building Officials Executive meeting- Arlington, Virginia	\$600.00	4-29-86	470
486	Imhoff, P.	Hyatt Regency walkway collapse - Kansas City, Missouri	\$750.00	3-2-86	319

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<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
1359	Imhoff, P.	Eighth Annual Education & Research Conference of the Association of Major City Building Officials-Phoenix, Arizona	\$850.00	9-13-86	1048
567	Jedrzejewski R	I.A.A.I. Seminar- Atlanta, Georgia	\$2,500.00	April 26- 5-2-86	416
1393	Jedrzejewski R	Fire Arson Investigation Course-Emmitsburg, Maryland	\$250.00	9-15-86	1061
1637	Joyce, W.	Pennsylvania State Police Electronic Surveillance School- Hershey, PA	\$750.00	10-20 to 11-7-86	1249
888	Keilman, D.	BOCA Conference- St. Louis, Missouri	\$2,500.00	6-22-86	629
122	Kennedy, R.	EMS Today Conference and Pre-Conference Workshops- San Diego, California	\$8,000.00	2-17-86	39
891	Kerestes, J.	Practical Tactical Considerations for Hazardous Materials Incident-Pittsburgh, Pennsylvania	\$250.00	5-17-86	630
63	Kielman, D.	1986 Mid-Winter Meeting of BOCA International- Hunt Valley, Maryland	\$1,000.00	1-14-86	26
329	Kielman, D.	58th Annual Fire and Rescue Instructors Conference - Cincinnati, Ohio	\$3,950.00	3-15-86	192
1102	Kolenda, R.	Train-The-Trainer course-Emmitsburg, Maryland	\$250.00	7-6-86	862
1259	Lang, R.	National Fire Academy- Emmitsburg, Maryland	\$250.00	8-17-86	966
999	Laush, A.	Phase III, Module II, Low Head Dam Rescues-H Harrisburg, PA.	\$325.00	6-21-86	740

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650	Laush, A.	Water Rescue Course- Harrisburg, PA	\$1,600.00	4-18-86	471
153	Laush, A.	FBI Hazardous Device School-Huntsville, Alabama	\$3,900.00	2-16 to 3-15-86	53
569	Laush, A.	River Rescue Course- Belfont, PA	\$60.00	3-21-86	416
648	Leahy, J.	Results Management seminar-Pittsburgh, PA	\$800.00	4-29-86	470
688	Leahy, J.	Metropolitan Chief's Conference-Fort Worth, Texas	\$1,300.00	5-2-86	504
1638	Leahy, J.	International Society of Fire Service Instructors- Baltimore, Maryland	\$900.00	10-22-86	1249
1362	Lewis, C.	Training seminar- Rosslyn, Virginia	\$1,000.00	8-16-86	1049
891	Lewis, C.	Practical Tactical Considerations for Hazardous Materials Incident-Pittsburgh, Pennsylvania	\$250.00	5-17-86	630
1236	Maraldo, L.	Automotive Training State Inspection-CCAC	\$150.00	7-21-86	947
886	Mares, C.	Summer Dispatchers Seminar-Wilmington, Delaware	\$1,500.00	7-29-86	629
650	Marks, J.	Water Rescue Course- Harrisburg, PA	\$1,600.00	4-18-86	471
569	Marks, J.	River Rescue Course- Belfont, PA	\$60.00	3-21-86	416
999	Marks, J.	Phase III, Module II, Low Head Dam Rescues- Harrisburg, PA.	\$325.00	6-21-86	740
999	McCaughan, R.	Phase III, Module II, Low Head Dam Rescues- Harrisburg, PA.	\$325.00	6-21-86	740
1361	McCaughan, R.	Response '86 Conference- Reno, Nevada	\$1,050.00	9-25-86	1049

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650	McCaughan, R.	Water Rescue Course- Harrisburg, PA	\$1,600.00	4-18-86	470
569	McCaughan, R.	River Rescue Course- Belfont, PA	\$60.00	3-21-86	416
648	McDaniel, H.	Results Management seminar-Pittsburgh, PA	\$800.00	4-29-86	470
62	McDonald, R.	Drug Abuse Resistance Education Seminar-Los Angeles, California	\$3,000.00	1-27 to 2-7-86	26
892	McDonald, R.	Leadership and Supervisory Skills for Women-Pittsburgh, Pennsylvania	\$590.00	5-23-86	630
737	McGee, M. Amending Bill 648 of 1986	Results Management '86 Seminar-Pittsburgh, PA	\$800.00	4-29-86	535
1258	Meister, R.	International Association Auto Theft Investigators Training Session-Hartford, Connecticut	\$1,000.00	8-3-86	966
1485	Mellott, K.	National Association of Fire Association of Fire Investigators Training Seminar-Chicago, Illinois	\$1,650.00	9-17-86	1122
648	Messinger, B.	Results Management seminar-Pittsburgh, PA	\$800.00	4-29-86	470
120	Messinger, B.	Computer Aided Dispatching Consortium-St. Louis, Missouri	\$2,500.00	1-23-86	39
442	Micknowski, R.	"From Caring to Action" - Pittsburgh, PA	\$200.00	4-1-86	262
1101	Micknowski, R.	Interviewing the Sexually Assaulted or Abused Child Seminar-Wilmington, Delaware	\$750.00	7-21-86	861
648	Miller, W.	Results Management seminar-Pittsburgh, PA	\$800.00	4-29-86	470

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649	Moffatt, C.	Special Weapons and Tactics seminar- Washington, D.C.	\$900.00	4-22-86	470
648	Moran, J.	Results Management seminar-Pittsburgh, PA	\$800.00	4-29-86	470
600	Moran, J.	National Fire Academy- Emmitsburg, Maryland	\$275.00	4-21 to 5-2-86	432
199	Moran, J.	Training, Research, and Development Exchange Meeting - Prince George County, Maryland	\$500.00	2-9-86	85
329	Moran, J.	58th Annual Fire and Rescue Instructors Conference - Cincinnati, Ohio	\$3,950.00	3-15-86	192
1636	Moran, J.	National Training Resource and Data Exchange Conference- Emmitsburg, Maryland	\$250.00	11-30 to 12-5-86	1248
1040	Moran, J.	Third Regional Training Resource and Data Exchange-Philadelphia, PA	\$350.00	6-23-86	798
648	Mullen, W.	Results Management seminar-Pittsburgh, PA	\$800.00	4-29-86	470
568	Nave, G.	Polygraphers Seminar- Virginia Beach, Virginia	\$1,500.00	5-12-86	416
890	Nelson, E.	Forward to the Future- Arlington, Virginia	\$3,175.00	5-27-86	629
892	Nelson, E.	Leadership and Supervisory Skills for Women-Pittsburgh, Pennsylvania	\$590.00	5-23-86	630
1394	Nelson, E.	24th Annual IAWP Training Conference- Denver, Colorado	\$2,700.00	9-6-86	1061
1360	Norton, J.	Annual Drug Conference and Training Institute Washington, DC	\$1,630.00	8-24-86	1049

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<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
1042	Norton, J.	Commissioning of the Submarine USS Pittsburgh- Graton, Connecticut	\$500.00	11-23-86	798
120	Norton, J.	Computer Aided Dispatching Consortium-St. Louis, Missouri	\$2,500.00	1-23-86	39
651	Nyman, R.	Firearms Training System-Toledo, Ohio	\$500.00	4-7-86	471
1520	Pampena, R.	The Municipal Police Officers Education & Training Commission meeting-Meadville, PA	\$150.00	9-18-86	1164
887	Parente, A.	Polygraph School- Norfolk, Virginia	\$6,800.00	9-29 to 11-21-86	629
651	Passaro, R.	Firearms Training System-Toledo, Ohio	\$500.00	4-7-86	471
1836	Patterson, E.	Magloclen's Symposium on Terrorism-Baltimore, Maryland	\$250.00	11-18-86	1405
1395	Patterson, E.	Bomb Squad Conference- Quantico, Virginia	\$400.00	9-1-86	1062
893	People (22)	Safety Systems Hazardous Materials Training Program-Upper St. Clair, PA	\$5,100.00	5-31 to 6-8-86	630
1599	Personnel	Water Rescue Seminar- Harrisburg, PA	\$1,000.00	10-10-86	1229
1880	Persons (14)	Leak, Spill and Fire Control- Upper St. Clair, PA	\$1,680.00	11-22-86	1437
197	Persons (29)	Computer-aided dispatch consortium meetings at various cities at various times in 1986	\$15,000.00		84
890	Phillips, B.	Forward to the Furture- Arlington, Virginia	\$3,175.00	5-27-86	629
892	Phillips, B.	Leadership and Supervisory Skills for Women-Pittsburgh, Pennsylvania	\$590.00	5-23-86	630

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687	Lieutenants and Sergeants (27)	Police Supervisors Training Program-Pittsburgh, PA	\$2,500.00	4-28-86	504
1362	Polk, M.	Training Seminar-Rosslyn, Virginia	\$1,000.00	8-16-86	1049
1837	Purnell, J.	National Emergency Training Center Seminar-Emmitsburg, Maryland	\$250.00	11-10-86	1406
892	Rosato, L.	Leadership and Supervisory Skills for Women-Pittsburgh, Pennsylvania	\$590.00	5-23-86	630
1786	Russell, J.	National Electrical Code Changes Seminar-Pittsburgh, PA	\$290.00	9-25-86	1381
890	Salerno, C.	Forward to the Future-Arlington, Virginia	\$3,175.00	5-27-86	629
651	Schmiedeke, B.	Firearms Training System-Toledo, Ohio	\$500.00	4-7-86	471
1041	Schmiedeke, B.	Municipal Police Officers Education and Training Commission-Wilkes Barre, PA.	\$175.00	6-18-86	798
446	Schmiedeke, B.	Meeting of the Municipal Police Officers Education and Training Commission-Hershey, PA	\$350.00	3-5-86	262
1520	Schmiedike, B.	The Municipal Police Officers Education & Training Commission meeting-Meadville, PA	\$150.00	9-18-86	1164
892	Sealey, M.	Leadership and Supervisory Skills for Women-Pittsburgh, Pennsylvania	\$590.00	5-23-86	630
889	Spruill, A.	National Crime Prevention Institute Retraining Seminar-Louisville, Kentucky	\$650.00	6-22-86	629

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568	Stotlemeyer, J.	Polygraphers Seminar- Virginia Beach, Virginia	\$1,500.00	5-12-86	416
279	Ten Individuals	Various meetings - Harrisburg, PA	\$10,000.00	Various times	150
328	Thomas, E.	National Fire Academy - Emmittsburg, Maryland	\$275.00	3-3-86	192
1362	Turner, N.	Training seminar- Rosslyn, Virginia	\$1,000.00	8-16-86	1049
997	Tutsock, G.	EMS Conference-Harrisburg, PA	\$1,200.00	6-27-86	740
570	Twelve Police Officers	Motorcycle Safety Training Seminar- Pittsburgh, PA	\$15,000.00	4-86	417
998	Vallone, C.	Observe operating procedures/Organized Crime Investigating Units- Columbus, Ohio	\$350.00	6-29 to 7-2-86	740
890	Williams, C.	Forward to the Furture- Arlington, Virginia	\$3,175.00	5-27-86	629
1836	Williams, C.	Maglocen's Symposium on Terrorism-Baltimore, Maryland	\$250.00	11-18-86	1405
1235	Winchell, J.	International Assoc. of Chiefs of Police Seminar-Virginia Beach-VA.	\$1,600.00	8-25-86	947
1392	Winchell, J.	Video Expo Seminar- New York	\$2,400.00	9-29 to 10-3-86	1061

TRAVEL REQUEST
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LOUIS R. GAETANO, DIRECTOR

<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
584	Beasley, D.	Sony Corporation's Video Training Course- Park Ridge, New Jersey	\$1,195.00	6-9-86	430
586	Beasley, D.	Convergence Corporations's Technical Training School- Blawnox, PA	\$1,400.00	3-25-86	430
673	Blackburn, N.	On-The-Job Safety- Pittsburgh, PA	\$1,300.00	4-29-86	502
673	Bolar, S.	On-The-Job Safety- Pittsburgh, PA	\$1,300.00	4-29-86	502
792	Clair, E.	National Federation of Local Cable Programmers San Francisco, California	\$1,025.00	7-10-86	585
585	Clair, E.	Managing Multiple Priorities Seminar- William Penn Hotel	\$110.00	5-16-86	430
619	Clair, E.	Professional Development Seminar-Duquesne University	\$1,800.00	5-29-86	466
1771	Clair, E.	Time-Text Seminar- Pittsburgh, PA	\$375.00	12-4-86	1378
673	Colaizzi, A.	On-The-Job Safety- Pittsburgh, PA	\$1,300.00	4-29-86	502
673	David, M.	On-The-Job Safety- Pittsburgh, PA	\$1,300.00	4-29-86	502
1201	Emenecker, B.	National Association of Telecommunications Officers and Advisors- National League of Cities- Philadelphia, PA	\$920.00	9-21-86	941
763	Emenecker, R.	Municipal Administration of Cable Television Seminar- Madison, Wisconsin	No Cost	6-23-86	565
165	Emenecker, R.	Southern California Chapter of National Association of Telecommunications Officers and Advisors - Torrance, California	No Cost	2-19-86	80

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417	Gaetano, L.	Annual Snow Conference - Rochester, New York	\$1,680.00	4-13-86	257
989	Gaetano, L.	International Public Works Congress and Equipment Show-New Orleans, Louisiana	\$3,350.00	9-20-86	739
1303	Gaetano, L.	Pennsylvania Winter Road Maintenance Workshop- White Haven, PA.	\$690.00	9-10-86	1040
1578	Gaetano, L.	Snow and Ice Conference- Colorado Springs, Colorado	\$225.00	10-15-86	1225
989	Gigliotti, F.	International Public Works Congress and Equipment Show-New Orleans, Louisiana	\$3,350.00	9-20-86	739
673	Gigliotti, F.	On-The-Job Safety- Pittsburgh, PA	\$1,300.00	4-29-86	502
301	Hurt, H.	ITVA Video Lighting Seminar WQED-TV	\$465.00	3-14-86	187
673	Ionadi, P.	On-The-Job Safety- Pittsburgh, PA	\$1,300.00	4-29-86	502
674	Kraszewski, R.	League of Municipalities Conference-Seven Springs, PA	\$250.00	4-3-86	502
673	Kreuzer, E.	On-The-Job Safety- Pittsburgh, PA	\$1,300.00	4-29-86	502
214	Lenkner, J.	International Television Association Conference - Dallas, Texas	\$2,700.00	4-15-86	116
619	Lenkner, J.	Professional Development Seminar-Duquesne University	\$1,800.00	5-29-86	466
673	Marotto, J.	On-The-Job Safety- Pittsburgh, PA	\$1,300.00	4-29-86	502
673	Miller, R.	On-The-Job Safety- Pittsburgh, PA	\$1,300.00	4-29-86	502
673	O'Malley, R.	On-The-Job Safety- Pittsburgh, PA	\$1,300.00	4-29-86	502

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672	Pukanic, C.	Information Script Workshop-Rockport, Maine	\$1,350.00	6-14-86	502
301	Pukanic, C.	ITVA Video Lighting Seminar WQED-TV	\$465.00	3-14-86	187
301	Purnell, T.	ITVA Video Lighting Seminar WQED-TV	\$465.00	3-14-86	187
673	Rodgers, W.	On-The-Job Safety- Pittsburgh, PA	\$1,300.00	4-29-86	502
673	Senko, R.	On-The-Job Safety- Pittsburgh, PA	\$1,300.00	4-29-86	502
583	Spicer, D.	Sony Corporation Video Training Course-Ft. Lauderdale, Florida	\$1,390.00	5-19-86	429
586	Spicer, D.	Convergence Corporations's Technical Training School- Blawnox, PA	\$1,400.00	3-25-86	430
619	Staab, L.	Professional Development Seminar-Duquesne University	\$1,800.00	5-29-86	466
214	Staab, L.	International Television Association Conference - Dallas, Texas	\$2,700.00	4-15-86	116
1654	Staab, L.	1986 Video Expo Seminars and Exhibits- Orlando, Florida	\$1,175.00	11-30 to 12-3-86	1273
989	Tortorete, J.	International Public Works Congress and Equipment Show-New Orleans, Louisiana	\$3,350.00	9-20-86	739
673	Tortorete, J.	On-The-Job Safety- Pittsburgh, PA	\$1,300.00	4-29-86	502
381	Walsh, M.	Federal Highway Administration Training Course - Baltimore, Maryland	\$750.00	2-24-86	226

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WATER DEPARTMENT
DARYL SMITH, DIRECTOR

<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
511	Allman, T.	On-the-Job Safety - Coraopolis, PA	\$200.00	4-29-86	365
510	Bruecken, T.	Safety Health and Security Conference - Monroeville, PA	\$360.00	4-8-86	365
303	Bruecken, T.	American Water Works Association meeting - Butler, Pennsylvania	\$117.00	3-6-86	188
1416	Cady, S.	Water Operator Training Course-Westview Water Plant	\$280.00	9-26 to 10-31-86	1086
510	Duray, R.	Safety Health and Security Conference - Monroeville, PA	\$360.00	4-8-86	365
303	Faccenda, A.	American Water Works Association meeting - Butler, Pennsylvania	\$117.00	3-6-86	188
303	Florian, R.	American Water Works Association meeting - Butler, Pennsylvania	\$117.00	3-6-86	188
511	Florian, R.	On-the-Job Safety - Coraopolis, PA	\$200.00	4-29-86	365
511	Garforth, J.	On-the-Job Safety - Coraopolis, PA	\$200.00	4-29-86	365
303	Garforth, J.	American Water Works Association meeting - Butler, Pennsylvania	\$117.00	3-6-86	188
510	Grassi, C.	Safety Health and Security Conference - Monroeville, PA	\$360.00	4-8-86	365
1416	Kearney, D.	Water Operator Training Course-Westview Water Plant	\$280.00	9-26 to 10-31-86	1086
509	Kearney, D.	American Water Works Association Conference - Seven Springs, PA	\$500.00	5-4-86	365
510	Koller, J.	Safety Health and Security Conference - Monroeville, PA	\$360.00	4-8-86	365

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<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
218	Kuchta, J.	American Society of Microbiology - Washington, D.C.	\$1,890.00	3-23-86	117
1415	Kuchta, J.	Annual Water Quality Technology Conference-Portland, Oregon	\$1,300.00	11-16-86	1086
303	Kuchta, J.	American Water Works Association meeting - Butler, Pennsylvania	\$117.00	3-6-86	188
511	Lancia, J.	On-the-Job Safety - Coraopolis, PA	\$200.00	4-29-86	365
303	Liberto, N.	American Water Works Association meeting - Butler, Pennsylvania	\$117.00	3-6-86	188
303	McNamara, J.	American Water Works Association meeting - Butler, Pennsylvania	\$117.00	3-6-86	188
510	McNamara, J.	Safety Health and Security Conference - Monroeville, PA	\$360.00	4-8-86	365
1416	Mueller, R.	Water Operator Training Course-Westview Water Plant	\$280.00	9-26 to 10-31-86	1086
510	Orwig, R.	Safety Health and Security Conference - Monroeville, PA	\$360.00	4-8-86	365
1596	Ravenstahl, R.	Techniques for Collecting Accounts Receivable Seminar-Pittsburgh, PA	\$200.00	10-28-86	1229
510	States, S.	Safety Health and Security Conference - Monroeville, PA	\$360.00	4-8-86	365
1113	States, S.	Water Work Operators' Association of PA.-Pennsylvania State University	\$700.00	8-4-86	883
1157	States, S.	Water Work Operator's Association of Pa. Conference-Pennsylvania State University	\$700.00	8-4-86	909

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<u>BILL</u>	<u>SUBJECT</u>	<u>TRAVEL</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>PAGE</u>
218	States, S.	American Society of Microbiology - Washington, D.C.	\$1,890.00	3-23-86	117
303	States, S.	American Water Works Association meeting - Butler, Pennsylvania	\$117.00	3-6-86	188
1416	Stevenson, T.	Water Operator Training Course-Westview Water Plant	\$280.00	9-26 to 10-31-86	1086
1157	Wisloski, R.	Water Work Operator's Association of Pa. Conference-Pennsylvania State University	\$700.00	8-4-86	909
1113	Wisloski, R.	Water Work Operators' Association of PA.-Pennsylvania State University	\$700.00	8-4-86	883
509	Wisloski, R.	American Water Works Association Conference-Seven Springs, PA	\$500.00	5-4-86	365
510	Wisloski, R.	Safety Health and Security Conference - Monroeville, PA	\$360.00	4-8-86	365
303	Wisloski, R.	American Water Works Association meeting - Butler, Pennsylvania	\$117.00	3-6-86	188

COMMUNICATIONS - MISCELLANEOUS

<u>BILL</u>	<u>SUBJECT</u>	<u>PURPOSE</u>	<u>PAGE</u>
226	Allegheny County Sanitary Authority	List of the Sanitary Authority personnel as of December 31 1985	119
154	Blocksidge, C.	Certified Total Assessments of Lands and Buildings for 1986	53
1788	Brophy, P.	Position and Salary Report as of June 30, 1986 of all employees	1381
1020	Brown, L.	Department of Parks and Recreation instituting a non-resident charge at Aviary and Phipps Conservatory	795

COMMUNICATIONS - MISCELLANEOUS

<u>BILL</u>	<u>SUBJECT</u>	<u>PURPOSE</u>	<u>PAGE</u>
1989	Caliguiri, R.	VETO-Bill No. 1721-An Ordinance to place before the voters-A referendum question as to whether or not said voters are in favor of amending the HRC to provide for the election of City Council Members: Nine by District only	1585
1999	Caliguiri, R.	Returning line item VETOS-Bill No. 1833 entitled "Adopting and approving the 1987 CDBGP and approving the 1987-1992 Capital Improvement Program	1605
1999	Caliguiri, R.	Returning line item VETOS-Bill No. 1832 entitled, "Fixing the number of officers and employees of all departments and the rate of compensation thereof for the year beginning January 1, 1987	1605
1044	Cosentino, R.	Annual Report of the Authority's Fiscal Affairs for 1985; Audit of the Authority's books, accounts for 1985	798
771	Cosentino, R.	List of personnel of Pittsburgh Water and Sewer Authority as of December 31, 1985	566
726	Dougherty, E.	Annual personnel list for Public Parking Authority for 1986	533
1904	Flaherty, T.	Submitting estimate of Probable Revenues the City may anticipate for the General Fund for the year 1987, Estimated Revenues-1986, the Revenues Received-1986, and a comparison of the 1987 Estimated Revenues with 1986 Revenues received	1468
1365	Flaherty, T.	Submitting Fiscal Audit of Permit Office Dept. of Public Works for the years ending December 31, 1985, 1984 and 1983	1050
1366	Flaherty, T.	Submitting Fiscal Audit of Pittsburgh Zoo, for years ending December 31, 1985 and 1984	1050
1367	Flaherty, T.	Submitting Fiscal Audit of Phipps Conservatory for years ending December 31, 1985, 1984 and 1983	1050
1397	Flaherty, T.	Submitting Fiscal Audit of Police Relief and Pension Fund as of December 31, 1985 and 1984	1062

COMMUNICATIONS - MISCELLANEOUS

<u>BILL</u>	<u>SUBJECT</u>	<u>PURPOSE</u>	<u>PAGE</u>
1449	Flaherty, T.	Submitting Fiscal Audit of Bureau of Emergency Medical Services, Department of Public Safety for years ending December 31, 1985 and 1984	1092
1746	Flaherty, T.	Submitting the Fiscal Audit of Bureau of Building Inspection of revenues collected from cash transactions of the Office of Licenses and Permits as of December 31, 1985 and 1984	1337
1790	Flaherty, T.	Submitting the Fiscal Audit Report of the South Side Ice Skating Rink for years ending December 31, 1985, 1984 and 1983	1381
1791	Flaherty, T.	Fiscal Audit of the Schenley Park Ice Skating Rink for years ending December 31, 1985, 1984 and 1983	1381
1103	Flaherty, T.	Submitting Fiscal Audit of the Pennsylvania Association for the Blind as of December 31, 1985	862
1261	Flaherty, T.	Submitting Fiscal Audit of the Firemen's Relief and Pension Fund	967
449	Flaherty, T.	Submitting Fiscal Audit of Warehouse Audit dated February, 1986	263
1550	Flaherty, T.	Submitting the Fiscal Audit Report of Southwestern Pennsylvania Regional Planning Commission for year ending June 30, 1985	1200
1551	Flaherty, T.	Submitting the Fiscal Audit Report of Magic Carpet Transportation for the Handicapped as of December 31, 1985	1200
1552	Flaherty, T.	Submitting the Fiscal Audit Report of the Municipal Pension Fund as of December 31, 1985 and 1984	1200
1744	Flaherty, T.	Submitting the Fiscal Audit Report of Carnegie Institutes as of December 31, 1985	1337
1745	Flaherty, T.	Submitting the Fiscal Audit of the Bureau of Police-Service Branch of revenues collected from cash transactions for years ended December 31, 1985, 1984 and 1983	1337

COMMUNICATIONS - MISCELLANEOUS

<u>BILL</u>	<u>SUBJECT</u>	<u>PURPOSE</u>	<u>PAGE</u>
851	Flaherty, T.	Fiscal audit of Support as of September 30, 1985 and statement of grant revenues and expenses	606
1602	Flaherty, T.	Submitting the Performance Audit Report of the Economic Development Department; Urban Redevelopment Authority	1229
727	Flaherty, T.	Performance audit of the Street and Sewer Maintenance Division of Department of Public Works for April, 1986	533
398	Flaherty, T.	Performance Audit of the Department of Public Works Permit and Inspection Process	229
770	Kiesel, J.	List of the Authority's personnel as of December 31, 1985	566
1237	McDermott; N.	Submitting list of the Allegheny County Sanitary Authority's personnel as of June 30, 1986	947
1838	Pellegrini, D.	Submitting a Report summarizing settlement claims not to exceed \$750.00 for the Third Quarter of 1986; and Report summarizing settlement claims in excess of \$750.00 for the Third Quarter of 1986	1406
481	Pellegrini, D.	Report summarizing settlement claims not exceeding \$750.00 for Fourth Quarter of 1985	318
895	Pellegrini, D.	Report summarizing settlement claims not exceeding \$750.00 for the first quarter of 1986; Report summarizing settlement claims in excess of \$750.00 for the first quarter of 1986	630
690	Pietragallo, D.	Report listing the name, position and salary of each employee of the Housing Authority as of December 31, 1985	504
773	Schillo, S.	University of Pittsburgh's Analysis of the impact of Military Spending in the City of Pittsburgh for Federal Fiscal Year 1984, as of 1985	566
1364	Schmeiser, R.	Report of collateral security pledged by City Depositories to secure same as of July 31, 1986	1050

COMMUNICATIONS - MISCELLANEOUS

<u>BILL</u>	<u>SUBJECT</u>	<u>PURPOSE</u>	<u>PAGE</u>
1549	Schmeiser, R.	Submitting a report of Deposits and market value of collateral security pledged by City Depositories to secure same as of August 31, 1986	1200
1687	Schmeiser, R.	Submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of September 30, 1986	1279
1971	Schmeiser, R.	Submitting the Market Value of securities pledged as collateral by City depositories as of October 31, 1986	1520
1077	Schmeiser, R.	Report of Deposits and Market Value of Collateral Security to secure same as of May 31, 1986	832
1260	Schmeiser, R.	Report of deposits and market value of collateral security pledged by City Depositories to secure same as of June 30, 1986	967
52	Schmeiser, R.	Report of Deposits and Market Value of collateral security pledged by City Depositories to secure same as of November 30, 1985	24
482	Schmeiser, R.	Report of Deposits and Market Value of collateral Security pledged by City Depositories to secure same as of January 31, 1986	318
639	Schmeiser, R.	Report of deposits and market value of collateral security pledged by City Depositories to secure same as of March 31, 1986	469
772	Schmeiser, R.	Report of Deposits and Market value of collateral security pledged by City depositories to secure same as of March 31, 1986	566
1043	Schmeiser, R.	Report of Deposits and Market Value of collateral security pledged by City Depositories to secure same as of April 30, 1986	798

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<u>BILL</u>	<u>SUBJECT</u>	<u>PURPOSE</u>	<u>PAGE</u>
186	Schmeiser, R.	Report of Deposits and Market Value of collateral security pledged by City Depositories to secure same as of December 31, 1985	83
1178	Stadium Authority	Report on Examination of Financial Statements for years ended March 31, 1986 and 1985	912
1178-A	Stadium Authority	Report on Examination of Financial Statements for years ended March 31, 1986 and 1985	912
894	Three Rivers Stadium Authority	List of personnel and salaries for the year 1985	630

MOTIONS

<u>SPEAKER</u>	<u>MOTION</u>	<u>SUBJECT</u>	<u>PAGE</u>
DePasquale, E.	Absence	Grabowski, S./Absence from October 20, 1986 meeting	1266
DePasquale, E.	Absence	Givens, R./Absence from March 31, 1986 meeting	422
DePasquale, E.	Absence	Madoff, M./Absence from March 31, 1986 meeting	422
DePasquale, E.	Absence	Givens, R./Absence from April 7, 1986 meeting	453
DePasquale, E.	Absence	Givens, R./Meeting of July 14, 1986	902
DePasquale, E.	Absence	Givens, R./Absence from August 11, 1986 meeting	1035
DePasquale, E.	Absence	Madoff, M./Absence from August 11, 1986 meeting	1035
DePasquale, E.	Absence	O'Malley, J./Absence from May 5, 1986 meeting	581
DePasquale, E.	Receive and file	Appointments and Reappointments	220
DePasquale, E.	Recommit	Bill No. 1390-Warrant-Casciato Brothers-\$11,500.00	1164
DePasquale, E.	Recommit	Bill No. 1701-Agreement(s)-Michael Baker, Jr. Inc.-Hydroelectric Project	1418

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<u>SPEAKER</u>	<u>MOTION</u>	<u>SUBJECT</u>	<u>PAGE</u>
DePasquale, E.	Recommit	Bill No. 483-Sale of property between the URA and Alberta Simpson for Parcel 106 in the 5th Ward	380
DePasquale, E.	Suspend Rule 8	Bill 981-Agreement-URA-Administering Mine Subsidence Reloaction Program-\$50,000.00 (SPONSORED BY MR. DEPASQUALE)	737
DePasquale, E.	Suspend Rule 8	Bill No. 1009-Agreement-Mackin Engineering Company-Bloomfield Bridge Replacement	792
DePasquale, E.	Suspend Rule 8	Bill No. 1053-Agreement-Consultant(s)-Design for increased illumination in Market Square	827
DePasquale, E.	Suspend Rule 8	Bill No. 1285-Agreement-Consultant(s)-Architectural, engineering & graphic design-implementation of Zoo Master Plan	1037
DePasquale, E.	Suspend Rule 8	Bill No. 1291-Contract-Construction of Phase 4.0: Tropical Forest Facility of the Pittsburgh Zoo	1038
DePasquale, E.	Suspend Rule 8	Bill No. 1497-Contract(s)-Repairs to overlooks on Grandview Avenue-\$20,000.00	1159
DePasquale, E.	Suspend Rule 8	Bill No. 1565-Amending Res. 1283 of 1985 "Resolution adopting and approving the 1986 Capital Budget and the 1986 CDBGP" by creating a new line item EC 86-88 Retrofit of Public Safety Building and new line item GS 86-06 Retrofit of the Public Safety Building	1223
DePasquale, E.	Suspend Rule 8	Bill No. 1566-Contract-Retrofit/ Rehabilitation/Renovations/Asbestos Removal of the Public Safety Building-\$6,295,000.00	1223
DePasquale, E.	Suspend Rule 8	Bill No. 1567-Agreement-Consultant(s)-Design and Consultant Management of the Retrofit/Rehabilitation/Renovations/Asbestos Removal of the Public Safety Building-\$605,000.00	1223

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<u>SPEAKER</u>	<u>MOTION</u>	<u>SUBJECT</u>	<u>PAGE</u>
DePasquale, E.	Suspend Rule 8	Bill No. 1568-Agreement-Consultant(s)- Architectural/Engineering Services- Design modifications to various fire stations designated to handle the new proposed fire equipment- \$75,000.00	1223
DePasquale, E.	Suspend Rule 8	Bill No. 1611-Contract-Reconstruction- of the Department of Public Works' Second Avenue Building-\$585,000.00	1244
DePasquale, E.	Suspend Rule 8	Bill No. 1650-Contract-Renovations- Public Safety Building	1273
DePasquale, E.	Suspend Rule 8	Bill No. 289-Contract for reconstruction of Penn Avenue	186
DePasquale, E.	Suspend Rule 8	Bill No. 463-Agreement-Consultant- \$470,000.00	315
DePasquale, E.	Suspend Rule 8	Bill No. 701-Contract(s)- Fabrication-Modular Office/ Maintenance Building	529
DePasquale, E.	Suspend Rule 8	Bill No. 787-Contract for Replacement of Windows at Fire Stations	585
DePasquale, E.	Suspend Rule 8	Bill No. 826-Contract-Fall Street Planting Program	602
DePasquale, E.	Suspend Rule 8	Bill No. 827-Resolution adopting and approving the 1985 Capital Budget and the 1985 CDBG Program; and approving the 1985 through 1990 Capital Improvement Program; by correcting a code account, increasing a line item and adjusting the Summary Totals	602
DePasquale, E.	Suspend Rule 8	Bill No. 903-Contract-Rehabilitation Davis Avenue Bridge	645
DePasquale, E.	Suspend Rule 8	Bill No. 904-Contract-Renovation of Martin Luther King School Playground	645
DePasquale, E.	Suspend Rule 8	Bill No. 208-Agreement with Consultant in response to the Capital Budget Program	115
DePasquale, E.	Withdraw Second	Bill No. 432-Filing of a Community Development Statement for grant in connection with the 1986 Community Development Block Grant	344
Givens, R.	Amend	Bill No. 162-Agreement-Calvary Cemetery - Amend to add Director of the Department of Public Works	167

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<u>SPEAKER</u>	<u>MOTION</u>	<u>SUBJECT</u>	<u>PAGE</u>
Givens, R.	Effective date	Bill No. 1710-Approving a Conditional Use Exception to McDonald's Corporation, lessee, for authorization for a Unit Group Building Development	1411
Givens, R.		Bill No. 1707-Accepting the dedication of certain property from Signet Associates, 6th Ward	1439
Givens, R.	Hold	Bill No. 932-Petitioning the General Assembly of the Commonwealth of Pennsylvania to amend the PA. Workmen's Compensation Act and the PA. Occupational Disease Act to include the presently excluded elected officials of the Commonwealth or any of its political subdivisions	658
Givens, R.	Hold One Week	Bill No. 943-Agreement-Contractor(s)- July 4th Synchronized Music/Fireworks Show-\$45,000.00	813
Givens, R.	Recommit	Bill No. 779-Agreement-South Side Sooners Youth Football Program-\$2,000.00 (SPONSORED BY MR. WAGNER)	612
Givens, R.	Suspend Rule 8	Bill No. 1060-Resolution amending Official Sewage Facilities Plan of the City of Pgh. by adding a corrective action plan and schedule for Saw Mill Run	828
Givens, R.	Suspend Rule 8	Bill No. 1215-Providing payment to the Public Auditorium Authority of Pittsburgh and Allegheny County of amounts with respect to the operation and maintenance of the Civic Arena	943
Givens, R.	Suspend Rule 8	Bill No. 1249-Vacating Bryn Mawr Road	965
Givens, R.	Suspend Rule 8	Bill No. 1250-Granting unto David O'Brien the license to construct a Fence and Driveway at Wellesley Avenue	965

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<u>SPEAKER</u>	<u>MOTION</u>	<u>SUBJECT</u>	<u>PAGE</u>
Givens, R.	Suspend Rule 8	Bill No. 1251-Granting unto Duquesne Light Company the license to construct a sidewalk vault at Bouquet Street	965
Givens, R.	Suspend Rule 8	Bill No. 1252-Granting unto Allegheny General Hospital the license to construct an easement for a pedestrian tunnel at Hemlock Street	965
Givens, R.	Suspend Rule 8	Bill No. 1253-Granting unto Eye and Ear Institute of Pittsburgh the license to construct a pedestrian bridge at Lothrop Street	965
Givens, R.	Suspend Rule 8	Bill No. 1254-Communication from Mayor Caliguiri, requesting permission for Mina Gerall to participate in the Leadership Pittsburgh Program	966
Givens, R.	Suspend Rule 8	Bill No. 1255-Cooperation with the Urban Redevelopment Authority for the transfer of funds for site improvements for housing development in Homewood	966
Givens, R.	Suspend Rule 8	Bill No. 1256-Contract-Demolition and removal of condemned buildings	966
Givens, R.	Suspend Rule 8	Bill No. 1257-Agreement-Center for Victims of Violent Crimes	966
Givens, R.	Suspend Rule 8	Bill No. 1258-Communication from John Norton requesting permission for Richard Meister to attend the International Association Auto Theft Investigators Training Session	966
Givens, R.	Suspend Rule 8	Bill No. 1259-Communication from John Norton requesting permission for Ralph Lang to attend the National Fire Academy	966
Givens, R.	Suspend Rule 8	Bill No. 1409-Transferring \$2,500.00 from C.A. 1633 to C.A. 1631 and \$3,500.00 from C.A. 1632 to C.A. 1635	1085
Givens, R.	Suspend Rule 8	Bill No. 1410-Transferring \$120,000.00 from C.A. 1608 to C.A. 1501	1085
Givens, R.	Suspend Rule 8	Bill No. 1574-Contract(s)-Use of Sixth Street Bridge Lane Control System	1225

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<u>SPEAKER</u>	<u>MOTION</u>	<u>SUBJECT</u>	<u>PAGE</u>
Givens, R.	Suspend Rule 8	Bill No. 1705-Transferring \$15,000.00 from C.A. 1612-1 to C.A. 1610 and from C.A. 1611-1 to C.A. 1502	1332
Givens, R.	Suspend Rule 8	Bill No. 1707-Accepting the dedication of certain property from Signet Associates, 6th Ward	1332
Givens, R.	Suspend Rule 8	Bill No. 1768-Amending Res. 478 of 1986-Contract(s)-For design, lease, purchase and installation of high pressure sodium street lighting for the Dept. of Public Works	1378
Givens, R.	Suspend Rule 8	Bill No. 1890-Contract(s)-rental and repair of equipment in in connection with Capital Construction Division	1465
Givens, R.	Suspend Rule 8	Bill No. 671-Contract-Street Lighting Department-\$25,000.00	501
Givens, R.	Suspend Rule 8	Bill No. 706-Vacation of Congress Street, 3rd Ward	530
Givens, R.	Suspend Rule 8	Bill No. 755-Transferring \$150,000.00 from C.A. 1167, Wages, Regular Employees to C.A. 1160-1, Premium Pay, Department of Environmental Services	564
Givens, R.	Suspend Rule 8	Bill No. 934-Agreement-Salvation Army- Flood Relief Fund-\$50,000.00 (SPONSORED BY MR. GIVENS)	671
Givens, R.	Suspend Rule 8	Bill No. 987-Transferring \$15,000.00 from C.A. 1611-1 to C.A. 1502	738
Grabowski, S.	Absence	O'Malley, J./Absence from April 28, 1986 meeting	561
Grabowski, S.	Absence	Woods, B./Absence from September 29, 1986 meeting	1189
Grabowski, S.	Absence	Givens, R./Absence from March 24, 1986 meeting	408
Grabowski, S.	Adjourn	Meeting of May 19, 1986 and meet again on Tuesday May 27, 1986 at 2:00 P.M.	617
Grabowski, S.	Adjourn	Adjourn meeting of May 19, 1986, until Tuesday May 27, 1986 at 2:00 P.M.	624
Grabowski, S.	Adopt	Rules of the preceeding Council be adopted as the rules of this Council	14

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<u>SPEAKER</u>	<u>MOTION</u>	<u>SUBJECT</u>	<u>PAGE</u>
Grabowski, S.	Amend	Bill No. 316-Ordinance amending Pgh. Code, Zoning By changing (A) "M3" to "S"; (B) By changing from "R3", "R4", "C3", "M2", "M3" to "R2-T" bounded by: North Lang Avenue; Hamilton Avenue; North Braddock Avenue and Finance Street, 13th Ward	540
Grabowski, S.		Nominees do not appear before Council until after the hearing on the appointee of Alcosan	1425
Grabowski, S.	Recommit	Bill No. 1957-Authorizing the City to accept the gift of the Buhl Science Center, 22nd Ward	1559
Grabowski, S.	Recommit	Bill No. 1958-Authorizing the City to enter into an Agreement with Carnegie Institute for a term of 25 years at a rental rate of \$1.00 per year	1559
Grabowski, S.	Recommit	Bill No. 734-Agreement-Urban Redevelopment Authority-Administration of the Brighton on the Park Housing Development Grant Project	1136
Grabowski, S.	Recommit	Bill No. 966-Extending the sick leave of Police Officer Thomas O'Donnell for a period of 50 days in an amount of \$5,160.00 (SPONSORED BY MR. WAGNER)	817
Grabowski, S.	Recommit	Bill No. 1094-Contract-furnishing and delivery of various pool pumps	919
Grabowski, S.	Recommit	Bill No. 432-Filing of a Community Development Statement for grant in connection with the 1986 Community Development Block Grant	344
Grabowski, S.	Reconsider	Amendment to include all elected City Officials to be audited	449
Grabowski, S.	Set Public Hearing	Bill No. 1579-Ordinance amending Pgh. Code, Zoning, by changing from "C2" and "M2" to "C4"	1225

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<u>SPEAKER</u>	<u>MOTION</u>	<u>SUBJECT</u>	<u>PAGE</u>
Grabowski, S.	Set Public Hearing	Bill No. 1580-Ordinance amending the Pgh. Code, Zoning, by requiring administrator approval of a site plan in "C4" Commercial Districts; every structure to be erected for a residential use in excess of 2 dwelling units and for every structure to be erected for a commercial use to have in excess of 2,400 sq. ft of gross floor area	1225
Grabowski, S.	Set Public Hearing	Bill No. 1581-Ordinance amending the Pittsburgh Code, Zoning by changing from "M4" to "SP:"	1226
Grabowski, S.	Set public hearing	Bill No. 1655-Ordinance amending the Text of the Pgh. Code by Redefining the term "Restricted Access Highway"; by adding a fifth statement of intent under the Purpose of Signs Chapter; by redefining the definition of a "V-Type" advertising sign	1274
Grabowski, S.	Set public hearing	Bill No. 1656-Ordinance amending the Pgh. Code, Zoning by Designating 40 additional roadways as "Restricted Access Highways"	1274
Grabowski, S.	Set public hearing	Bill No. 1709-Ordinance amending the Pgh. Code, Zoning from "R1" to "C1"; Brownsville Road, 29th Ward	1332
Grabowski, S.	Suspend Rule 8	Bill No. 1019-Agreement-terminate related agreement with Charles J. Kolling-\$25,000.00	795
Grabowski, S.	Suspend Rule 8	Bill No. 1156-Authorizing the City of Pgh. to incur lease rental debt by entering into an equipment lease and an amendment to an existing lease with City of Pgh. Leasing Authority	909
Grabowski, S.	Suspend Rule 8	Bill No. 1467-Agreement South Side Community Council-Professional services-South Side Merchants Baseball Team (SPONSORED BY MR. GRABOWSKI)	1119
Grabowski, S.	Suspend Rule 8	Bill No. 1507-Agreement-Bloomfield Citizen's Council-Professional Services-\$1,500.00	1162

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<u>SPEAKER</u>	<u>MOTION</u>	<u>SUBJECT</u>	<u>PAGE</u>
Grabowski, S.	Suspend Rule 8	Bill No. 1772-Filing of an application by the City of Pittsburgh with the U.S. Department of Housing and and Urban Redevelopment for a grant in connection with the City Center UDAG Project	1379
Grabowski, S.	Suspend Rule 8	Bill No. 1773-Agreement(s)-URA- Implementation of the City Center UDAG Project-\$15,000,000.00	1379
Grabowski, S.	Suspend Rule 8	Bill No. 1774-Filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the Oakland Portal UDAG Project	1379
Grabowski, S.	Suspend Rule 8	Bill No. 1775-Agreement(s)-URA- Implementation of the Oakland Portal UDAG Project-\$1,250,000.00	1379
Grabowski, S.	Suspend Rule 8	Bill No. 1776-Agreement(s)-URA- Implementation of Housing Projects funded by the PA. Department of Community Affairs-\$1,000,000.00	1379
Grabowski, S.	Suspend Rule 8	Bill No. 1803-Filing of an application with the United States Department of Housing and Urban Development for a grant in connection with Phase I of the City Center UDAG Project	1401
Grabowski, S.	Suspend Rule 8	Bill No. 1804-Agreement(s)-URA- Implementation of Phase I of the City Center UDAG Project	1401
Grabowski, S.	Suspend Rule 8	Bill No. 1805-Filing of an application with the United States Department of Housing and Urban Development for a grant in connection with Phase II of the City Center UDAG Project	1401
Grabowski, S.	Suspend Rule 8	Bill No. 1806-Agreement(s)-Urban Redevelopment Authority-Implementation of Phase II of the City Center UDAG Project-\$6,000,000.00	1402
Grabowski, S.	Suspend Rule 8	Bill No. 1807-Filing of an application with the United States Department of Housing and Urban Development for a grant in connection with Phase III of the City Center UDAG Project	1402

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<u>SPEAKER</u>	<u>MOTION</u>	<u>SUBJECT</u>	<u>PAGE</u>
Grabowski, S.	Suspend Rule 8	Bill No. 1808-Agreement(s)-Urban Redevelopment Authority-Implementation of Phase III of the City Center UDAG Project-\$6,000,000.00	1402
Grabowski, S.	Suspend Rule 8	Bill No. 1859-Agreement(s)-Urban Redevelopment Authority-Implementation of the Bryn Mawr Road Project	1434
Grabowski, S.	Suspend Rule 8	Bill No. 1970-Petition from Residents requesting a public hearing on the issue of district elections	1521
Grabowski, S.	Suspend Rule 8	Bill No. 20-Making Revisions to Group Residence Facility, Group Care Facility, and Institutional Facility	20
Grabowski, S.	Suspend Rule 8	Mailing of copies of ordinances and resolutions to Council at least 48 hours previous to their consideration	112
Madoff, M.	Absence	Masloff, S./Absence from February 17, 1986 meeting	180
Madoff, M.	Absence	Masloff, S./Absence from February 10, 1986 meeting	141
Madoff, M.	Absence	DePasquale, E./Absence from May 12, 1986 meeting	599
Madoff, M.	Absence	Grabowski, S./Absence from May 12, 1986 meeting	599
Madoff, M.	Amend	Bill No. 53-Authorizing the Urban Redevelopment Authority to acquire all of the City's right, title and interest to publicly owned properties in various wards	63
Madoff, M.	Amend	Rules of the preceeding Council be adopted as the rules of this Council	14
Madoff, M.	Amend	Bill No. 602-Agreement-Consultant-Establishment of Office of Professional Responsibility within the Dept. of Public Safety-To include that consulting job would go to Robert Coll	516

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<u>SPEAKER</u>	<u>MOTION</u>	<u>SUBJECT</u>	<u>PAGE</u>
Madoff, M.	Amend	Bill No. 1721-Ordinance-Directing the Allegheny County Board of Elections to place before qualified voters of the City a referendum question as to whether or not said voters are in favor of amending the Home Rule Charter to provide for the election City Council Members 1) Nine at large or 2) Nine by district only or 3) a combination of seven by district and two at large (SPONSORED BY MICHELLE MADOFF)	1523
Madoff, M.	Amend	Bill No. 1932-Initiating a three-phase program gifting ownership management and maintenance of the Pittsburgh Zoo, The Pittsburgh Aviary and Phipps Conservatory (SPONSORED BY MICHELLE MADOFF)	1549
Madoff, M.	Amendment	Requesting a formal investigation by the Allegheny County Department of Elections of all campaign spending reports/To include all elected City officials	447
Madoff, M.	Approve	Bill No. 976-Appointment of Linda Cobb as a member of City Court	741
Madoff, M.	Approve	Appointment of Glenn Cannon as Director of the Department of Public Safety	1279
Madoff, M.	Back into Committee	Bill No. 1597-Warrant(s)-Thirty-State certified evaluators for the Public Safety Training Academy's Voluntary I Firefighter Certification Program	1310
Madoff, M.	Challenge Chair	Bill No. 265-Fixing the number of officers and employees and the rate of compensation thereof, and setting minimum levels for designated positions by making certain additions and corrections	284
Madoff, M.	Challenging Chair	Bill No. 1832-Resolution Fixing the number of officers and employees of all departments of the City and the rate of compensation thereof for the year beginning January 1, 1987	1595

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<u>SPEAKER</u>	<u>MOTION</u>	<u>SUBJECT</u>	<u>PAGE</u>
Madoff, M.	Change regular business and vote	Regular business and final vote on Monday, October 13, 1986 to Tuesday, October 14, 1986 at 9:30 A.M.	1212
Madoff, M.	Consensus	Personal Disability Insurance for Elected Officials	991
Madoff, M.	Create Line Item	DiSuvero Piece of Sculpture Create a line item for people who want contribute to meaningful art in the City	29
Madoff, M.	Create line item	Voluntary contributions	451
Madoff, M.	Delete Word	Bill No. 1324-Agreement-Consultant-Assist the City in improving its Citizen Participation Process/ Deleting word CTAC	1065
Madoff, M.	Five minute recess	Bill No. 966-Extending sick leave of Thomas O'Donnell for 50 days in an amount of \$5,160.00 (SPONSORED BY MR. WAGNER)	819
Madoff, M.	Hearing	Flat Water Rates	822
Madoff, M.	Hearing	Water Authority report on reasons for rate increase	822
Madoff, M.	Hearing	Functions of Water Department, number of leaks, where they're shutting down valves, problems running into shutting off water for 12 hours because of not being able to find valves	822
Madoff, M.	Hire attorney	Checking validity of Council President in regards to having the power to not have Post Agendas transcribed	932
Madoff, M.	Hold	Bill No. 114-Filing of an Application with the PA. Department of Community Affairs for financial assistance for a grant of \$150,000.00 - Rehabilitation of Market Square	64
Madoff, M.	Legal Representation	Bill No. 966-Extending the sick leave of Police Officer Thomas O'Donnell for 50 days in amount of \$5,160.00 (SPONSORED BY MR. WAGNER)	837

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<u>SPEAKER</u>	<u>MOTION</u>	<u>SUBJECT</u>	<u>PAGE</u>
Madoff, M.	Making available funds for hiring of photographer	Hiring of a photographer to take photographs of City problems at any time, day or night 555	
Madoff, M.	Misc.	Making Council Chambers safe for public officials and employees by installing a protective device	1574
Madoff, M.	Cutting off sound meeting	Cable-Cutting off the sound of the meeting	399
Madoff, M.	Receive list	Authorities and Boards and Commissions/Receiving a list of all their employees	72
Madoff, M.	Recommit	Bill No. 245 - Resolution urging Duquesne Light Company to replace their faulty lighting system in the vicinity of Panther Hollow Bridge and nearby ramps in Schenley Park	214
Madoff, M.	Recommit	Bill No. 1063-Transfer \$372,000.00 from C.A. 1922, Miscellaneous Services to C.A. 1154-1, Motorized Equipment	890
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Madoff, M.	Recommit	Bill No. 1469-Contract-furnishing and delivery of Motorized Fire Equipment for the Dept. of General Services	1207
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Madoff, M.	Send letter	Urging Brother Richard Emenecker to keep camera and sound on during hearings	405
Madoff, M.	Sending letter	Requesting that Arlington property be put back up for sale	1110
Madoff, M.	Set a Public Hearing	Public Hearing-Reselling of property in Arlington	1114
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Madoff, M.	Suspend Rule 8	Bill No. 1589-Agreement(s) and/or Contract(s)-Leasing of office space and services required due to relocation and housing of occupants of the Public Safety Building	1227
Madoff, M.	Suspend Rule 8	Bill No. 1652-Contract-Purchase and Installation of Air Conditioning unit-\$17,000.00	1273
Madoff, M.	Suspend Rule 8	Bill No. 245-Duquesne Light Company replacing lighting system in the vicinity of Panther Hollow Bridge and nearby ramps in Schenley Park (SPONSORED BY MICHELLE MADOFF)	145
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Madoff, M.	Televis	Hearing on water rates	961
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Masloff, S.	Absence	Givens, R./Absence from July 21, 1986 meeting	935
Masloff, S.	Absence	O'Malley, J./Absence from July 28, 1986 meeting	963
Masloff, S.	Absence	Wagner, J./Absence from July 28, 1986 meeting	963
Masloff, S.	Absence	Wagner, J./Absence from January 13, 1986 meeting	30
Masloff, S.	Absence	Madoff, Michelle/Absence from from May 26, 1986 meeting	642
Masloff, S.	Approve	Bill No. 1005-Appointment of Eugene Dotter as a member of the Board of Code Review	777
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Masloff, S.	Suspend Rule 8	Bill No. 115-Contract-Renovations to Shark Tank at the Pittsburgh Zoo	884
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Masloff, S.	Suspend Rule 8	Bill No. 1860-Transfer of \$400,000.00 from the 1986 CDBG Trust Fund, C.A. CDPR, Housing Authority Recreation Salaries to the General Fund	1435
Masloff, S.	Suspend Rule 8	Bill No. 624-Agreement-Various Performers-Recreational Instructional Programs-\$5,000.00	467
O'Malley, J.	Absence	Masloff, S./Absence from October, 14 1986 meeting	1242
O'Malley, J.	Effective Date	Bill No. 597-Transferring \$15,000.00 from C.A. 1475 to Code Account 1475-1/ Effective date be the date on which it is signed by the Mayor	478
O'Malley, J.	Recess	Meeting of August 4, 1986 and meet again on August 6, 1986	993
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O'Malley, J.	Suspend Rule 8	Bill No. 1315-Transferring \$1,500.00 from C.A. 46 to C.A. 1074-1	1042
O'Malley, J.	Suspend Rule 8	Bill No. 1423-Transferring \$6,000.00 from C.A. 1022 to C.A. 1022	1087
O'Malley, J.	Suspend Rule 8	Bill No. 1590-Transferring \$50,000.00 from C.A. 1043 to C.A. 1044	1228
O'Malley, J.	Suspend Rule 8	Bill No. 1625-Transferring \$802,300.00 from C.A. 44, \$150,000.00 from C.A. 1402-9, \$320,000. from C.A. 41 to various Departmental Workers Compensation Code Accounts	1247
O'Malley, J.	Suspend Rule 8	Bill No. 1866-Tranfer \$10,000.00 from C.A. 1022 to C.A. 1022-1	1435

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O'Malley, J.	Suspend Rule 8	Bill No. 262-Warrant-Titus Marcus and Shapira-\$15,956.21	147
O'Malley, J.	Suspend Rule 8	Bill No. 263-Warrant-Harold Shuler- \$100,000.00	147
O'Malley, J.	Suspend Rule 8	Bill No. 280-Petition requesting a public hearing on legalizing Dog racing	150
O'Malley, J.	Suspend Rule 8	Bill No. 304 - Resolution transferring \$15,000.00 from Code Account 41 to the Employers Travel Expense Advance Trust Fund	188
O'Malley, J.	Suspend Rule 8	Bill No. 419-Establish a trust fund to be known as the Business Development Trust Fund/deposit funds for economic development from the repayment of funds advanced by the City of Pgh. to the Stadium Authority	258
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O'Malley, J.	Suspend Rule 8	Bill No. 513-Increasing estimated revenues and establishing revenues and establishing a line item appropriation-URA Development Loan	366
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O'Malley, J.	Suspend Rule 8	Bill No. 800-Contract-Implementation and distribution of public relations, marketing and recruitment materials- Job Training Partnership Act	587
O'Malley, J.	Suspend Rule 8	Bill No. 833-Resolution transferring \$1,412,250.00 from C.A. 1457-9; and \$1,695,000.00 from C.A. 1470-9 to C.A. 1402-9	603

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Pollock, M.	Agreement part of legislation	Bill No. 188-Conditional Use Exception of Pittsburgh Code, Title Nine, Zoning to Allegheny General Hospital for construction of a parking garage- Remarks on Memorandum of Understanding	161
Pollock, M.	Amend	Bill No. 271-Filing of a Community Development Statement with the U.S. Department of Housing and Urban Development for a grant- 1983 Community Development Block Grant Program so to adjust line items	233
Pollock, M.	Amend Motion	Code Account 46-Judgements- Requesting list of who claims are paid to and what the cost is/Amend to send a letter to Mr. Pellegrini-to send Council a brief synopsis of history of case	488
Pollock, M.	Appoint Committee	Appointing a sub-committee to examine Council Rules to see if there might be amendments to them	526
Pollock, M.	Delete Paragraph	Bill No. 1247-Congratulating the Pittsburgh Chapter of the American Technion Society and Dr. Thomas Starzl and thanking them for naming the Transplant Center after our City	957
Pollock, M.	Effective date	Bill No. 1224-Resolution approving the Convention Center Proposal	973
Pollock, M.	Effective date	Bill No. 1323-Approving the Homewood South Proposal including Modification 3 to the Redevelopment Area Plan	1064

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Pollock, M.	Effective date	Bill No. 917-Agreement-Hill House Community Services, Inc.-Implementation of the Home Security Program	683
Pollock, M.	Effective date	Bill No. 918-Agreement-Pittsburgh Clean Cities Committee-Employing Economically disadvantaged youths-\$15,473.65	683
Pollock, M.	Effective date	Bill No. 990-Contract-Repair of air conditioning unit at the Water Treatment Plant	809
Pollock, M.	Hearing location changed	Bill No. 55-Troy Hill Road near Province Street Hearing to be held in location near zone change	73
Pollock, M.	Hold	Bill No. 601-Ordinance-Requiring drug testing for all new City employees	450
Pollock, M.	Recommit	Bill No. 602-Agreement-Consultant-Establishment of Office of Professional Responsibility within the Dept. of Public Safety	512
Pollock, M.	Recommit	Bill No. 1029-Implementation of a Residential Sticker Parking Program	866
Pollock, M.	Send Letter	Letter to Chief Leahy to permit firefighters to sit outside	783
Pollock, M.	Set Public Hearing	Bill No. 601-Ordinance-Requiring drug testing for all new City employees	450
Pollock, M.	Suspend Rule 8	Bill No. 1027-Agreement-Consultant(s)-Implementing a two-way communications process for purpose of citizen involvement in planning City programs	796

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Pollock, M.	Suspend Rule 8	Bill No. 114-Filing of an Application with the Pennsylvania Department of Community Affairs for a grant of \$150,000.00	38
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Pollock, M.	Suspend Rule 8	Bill No. 1432-Agreement-Generations Together-Administrative assistance with Youth volunteer services for elderly program	1089
Pollock, M.	Suspend Rule 8	Bill No. 1433-Agreement-Lawrenceville Development Corporation-Administrative assistance for developing housing activities for low/moderate income families	1089
Pollock, M.	Suspend Rule 8	Bill No. 1434-Financial assistance with the Commonwealth of PA.- Neighborhood Housing Program	1089
Pollock, M.	Suspend Rule 8	Bill No. 1435-Cooperation Agreement- Urban Redevelopment Authority- Designation and implementation of \$500,000.00 in Pittsburgh Home Ownership Program Funds	1089
Pollock, M.	Suspend Rule 8	Bill No. 1436-Financial assistance with the Pennsylvania Department of Community Affairs-Pittsburgh Economic Development Fund Program	1089

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Pollock, M.	Suspend Rule 8	Bill No. 1440-Cooperation Agreement- Urban Redevelopment Authority of Pittsburgh-North Shore Redevelopment Program	1090
Pollock, M.	Suspend Rule 8	Bill No. 1441-Financial assistance- Commonwealth of Pennsylvania- Streetface Program	1090
Pollock, M.	Suspend Rule 8	Bill No. 1442-Approving the proposal dated September, 1986 for redevelopment activities-North Shore	1090
Pollock, M.	Suspend Rule 8	Bill No. 1443-Financial Assistance- Commonwealth of Pennsylvania- North Shore Project	1090
Pollock, M.	Suspend Rule 8	Bill No. 1444-Urban Redevelopment Authority-Designation and implementation of \$200,000.00 in Urban Development Action Grant Repayment Funds	1090
Pollock, M.	Suspend Rule 8	Bill No. 1478-Amending Res. 1057 of 985-Agreement with the URA for the redevelopment of the Pennsylvania/ Brighton portion of the Pennsylvania/ Kirkbride Redevelopment Area Project	1121
Pollock, M.	Suspend Rule 8	Bill No. 1683-Transferring \$100,000.00 from C.A. 1977 to C.A. 1926	1278
Pollock, M.	Suspend Rule 8	Bill No. 187-Submission of enterprise development applications with the Commonwealth of PA. Department of Community Affairs for financial assistance	83

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Pollock, M.	Suspend Rule 8	Bill No. 221-Communication from Robert Lurcott, Director, Department of City Planning requesting permission for Steven T. Branca to attend the Winter Cities Planning Forum- in Edmonton, Canada from February 15-20, 1986	118
Pollock, M.	Suspend Rules	Bill No. 265-Fixing the number of officers and employees and the rate of compensation thereof, and setting minimum levels for designated positions by making certain additions and corrections	284
Pollock, M.	Suspend Rule 8	Bill No. 395-Agreement(s) with Consultant(s) to conduct an Aerial Tramway Feasibility Study	228
Pollock, M.	Suspend Rule 8	Bill No. 406-March for Women's Lives Week	239
Pollock, M.	Suspend Rule 8	Bill No. 431-Agreement-URA-\$20,000,000.00	259
Pollock, M.	Suspend Rule 8	Bill No. 432-Filing of a Community Development statement with the U.S. Dept. of Housing and Urban Development for a grant-1986 Community Development Block Grant Program; creating a special trust fund	260
Pollock, M.	Suspend Rule 8	Bill No. 483-Approving execution of contract-Alverta Simpson for the sale of 2901-15 Wylie Avenue, 5th Ward	318
Pollock, M.	Suspend Rule 8	Bill No. 515-Changing two code accounts, one project title and adjusting a clerical error	366
Pollock, M.	Suspend Rule 8	Bill No. 54-Agreement-Bates Street Housing Development Grant	25

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Pollock, M.	Suspend Rule 8	Bill No. 728-Conditional Use- Ellis School, 7th Ward	534
Pollock, M.	Suspend Rule 8	Bill No. 921-Resolution amending Section 11 of Resolution No. 1228 of 1979 as previously amended, so as to correct several Department Summaries in error on previous Resolution No. 201 of 1986	647
Pollock, M.	Suspend Rule 8	Bill No. 922-Resolution amending Section 10 of Resolution No. 167 of 1983 as amended by Resolution Nos. 394 and 692 of 1983, by Resolution No. 940 of 1984, by Resolution No. 634 of 1985, and by Resolution Nos. 103 and 177 of 1986, so as to adjust several line items	647
Pollock, M.	Suspend Rule 8	Warrant-C. Lindquist Associates- \$788.90	565
Pollock, M.	Table	Rules of the preceeding Council be adopted as the rules of this Council	14
Pollock, M.	Televis	Public Hearing on Stadium bond issue	313
Pollock, M.	Televis	Public Hearing on Vendors on Street corners	314
Pollock, M.	Waive rule	Bill No. 1725 -Agreement(s)- Hands-On Training	1445
Wagner, J.	Absence	Woods, B./Absence from January 21, 1986 meeting	48
Wagner, J.	Absence	DePasquale, E./Absence from February 3, 1986 meeting	113
Wagner, J.	Absence	O'Malley, J./Absence from February 3, 1986 meeting	113
Wagner, J.		Bill No. 265-Fixing the number of officers and employees and the rate of compensation thereof, and setting minimum levels for designated positions by making certain additions and corrections	275

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Wagner, J.	Amend	Bill No. 1137-Conducting an investigation of the Public Safety Department/Adding the words "including the Police Consultant Study"	1003
Wagner, J.	Back into Committee	Bill No. 848-Amending Res. 744 and 952 of 1979 and 1982 Creating a Special Trust Fund for the receipt and disbursement of funds for training and related bank account, as amended by No. 952 to include disbursement for In-Service Training Trust Fund: by alerting the designation of the Trust Fund created and amending and authorizing additional payments into and out of such trust fund and by renaming the Trust Account the "Public Safety Training Account"	657
Wagner, J.	Delay Confirmation	Appointment of Glenn Cannon as Director of the Department of Public Safety	1279
Wagner, J.	Delete Elected Officials Raises	Bill No. 265-Fixing the number of officers and employees and the rate of compensation thereof, and setting minimum levels for designated positions by making certain additions and corrections	275
Wagner, J.	Delete Word	Requesting that administration conduct pre-hearings for benefit of Council prior to regularly scheduled hearings open to public and media/Deleting word Hearings and add a sentence	1071
Wagner, J.	Endorsement	River Rescue-Post Agenda-Endorsement in regard to ten recommendations	107
Wagner, J.	Hold	Bill No. 265-Fixing number of officers and employees and rate of compensation thereof, and setting minimum levels for designated positions by making certain additions and corrections	286

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Wagner, J.	Hold for 1 Week	Bill No. 1376 -Granting unto Jessie DeCarlo the privilege and license to construct, maintain and use at her own cost and expense, a handicapped ramp over a portion of the sidewalk of Williams Street in 19th Ward	1127
Wagner, J.	Letter	Requesting a formal investigation by the Allegheny County Department of Elections of all campaign spending reports for Councilmembers	444
Wagner, J.	Misc.	Bill No. 1565-Resolution amending Res. 1283 of 1985, "Resolution adopting and approving the 1986 Capital Budget and the 1986 CDBGP by creating a new line item for the Dept. of Engineering and Construction	1260
Wagner, J.	Misc.	Bill No. 1566-Contract-Retrofit/ Rehabilitation/Renovations/Asbestos Removal of the Public Safety Building	1260
Wagner, J.	Misc.	Bill No. 1567-Agreement(s)-Consultant(s)- Professional Engineering Services- Design and Consultant Management of the Retrofit/Rehabilitation/Renovations/ Asbestos Removal of the Public Safety Building	1260
Wagner, J.	Misc.	Bill No. 1568-Agreement(s)-Consultant(s)- Architectural/Engineering Services- Design modifications to various fire stations designated to handle the new proposed fire equipment	1260
Wagner, J.	Nine signatures to request that the Court assign an auditor to audit expenses	Requesting that the County Board of Elections investigate Council expenses	491
Wagner, J.	Recess	Meeting of March 10, 1986 for ten minutes	285

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Wagner, J.	Recommit	Bill No. 1137-Authorizing and directing the Council of the City of Pittsburgh to conduct a formal investigation of the Public Safety (SPONSORED BY MR. WAGNER)	974
Wagner, J.	Recommit	Bill No. 1929-Providing for the filing of a Community Development Statement by the City of Pittsburgh with HUD for a grant in connection with the 1986 CDBG Program	1565
Wagner, J.	Recommit	Bill No. 1930-Providing for filing of a Community Development statement by the City with HUD for a grant in connection with the 1987 CDBG Program	1565
Wagner, J.	Reschedule Public Hearing	Reschedule Public Hearing for Monday to Tuesday	1213
Wagner, J.	Support Enactment	River Rescue Operation - Support Enactment of the items listed in the recommendations so the Administration can move forward on them	136
Wagner, J.	Suspend Rule 8	Bill No. 1483-Agreement-South Side Sooners Youth Football-\$2,000.00 (SPONSORED BY MR. WAGNER)	1122
Wagner, J.	Suspend Rule 8	Bill No. 1784-Agreement(s)-Vietnam Veterans, Inc.-Professional services in connection with bringing the Mobile Vietnam Veterans Memorial-\$7,000.00 (SPONSORED BY MR. WAGNER)	1380
Wagner, J.	Suspend Rule 8	Bill No. 1878-Transfer \$75,000.00 from C.A. 1461 to C.A. 1461-2	1437
Wagner, J.	Suspend Rule 8	Bill No. 1902-Transferring \$100,000.00 from C.A. 41 to C.A. 1461-1	1468
Wagner, J.	Suspend Rule 8	Bill No. 222-Referendum question as to whether or not said voters are in favor of the legalization of greyhound racing (SPONSORED BY MR. WAGNER)	118

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Wagner, J.	Suspend Rule 8	Bill No. 597-Transferring \$15,000.00 from C.A. 1475, Salaries and Wages to C.A. 1475-1, Premium Pay	431
Wagner, J.	Suspend Rule 8	Bill No. 741-Petition from the residents of the City of Pittsburgh concerning the proposed Ellis School Conditional Use Application No. 557, and supporting the Larkin family in this matter	536
Wagner, J.	Suspend Rule 8	Bill No. 811-Agreement-Consultant- Professional Services in connection with establishment of Office of Professional Responsibility	589
Wagner, J.	Suspend Rule 8	Bill No. 846-Ordinance amending Pgh. Code, by changing the compulsory retirement age for firemen and policemen from sixty-five (65) to sixty-eight (68) years of age (SPONSORED BY MR. WAGNER)	606
Wagner, J.	Suspend Rule 8	Bill No. 967-Petition questioning capacity of the Police Bureau	675
Wagner, J.	Televis	Post Agenda pertaining to the reduction of zones or precincts from nine to five in the City of Pittsburgh	901
Wagner, J.	Televis	Hearing on Thursday, August 7, 1986	988
Wagner, J.	Televis	Hearing that Paramedics have requested	1400
Woods, B.	Approve	Approve all reappointments	223
Woods, B.	Change Meeting time	Change meeting time of Wednesday, May 21, 1986 meeting from 10:00 A.M. to 2:00 P.M.	623
Woods, B.	Effective Date	Legislation regarding referendum questions	1538
Woods, B.	Hold	Bill No. 1536-Warrant-Ace Demolition, Inc.-\$23,100.00	1250
Woods, B.	Interview	Bill 976-Appointment of Linda A. Cobb as a member of City Court	716

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Woods, B.	Override Veto	Bill No. 1832 entitled, "Fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof beginning January 1, 1987	1608
Woods, B.	Override Veto	Bill No. 1832 entitled, "Fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1987/Department of Personnel and Civil Service 3 Members, Personnel Appeals Board \$9,450.00	1608
Woods, B.	Override Veto	Bill No. 1832 entitled, "Fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1987/Department of Finance 4 Auditors, 4 Investigators-\$113,919.00	1610
Woods, B.	Override Veto	Bill No. 1832-Resolution entitled, "Fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1987/Department of Public Safety 19 First Year Firefighters \$310,232.00	1616
Woods, B.	Override Veto	Bill No. 1832-Resolution entitled, "Fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1987/Department of Water, Engineer-\$42,606.00	1618
Woods, B.	Override Veto	Bill No. 1832-Resolution entitled, "Fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1987/Other Authorizations Out of Grade Pay	1620

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Woods, B.	Override Veto	Bill No. 1832-Resolution entitled, "Fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1987/Other Authorizations Management Employee Benefits	1622
Woods, B.	Override Veto	Bill No. 1833 entitled "Adopting and approving the 1987 Capital Budget and 1987 Community Development Block Grant Program and approving the 1987-1992 Capital Improvement Program/Dean Field Improvements-\$470,000.00	1622
Woods, B.	Override Veto	Bill No. 1833 entitled "Adopting and approving the 1987 Capital Budget and 1987 Community Development Block Grant Program and approving the 1987-1992 Capital Improvement Program	1608
Woods, B.	Override Mayor's Veto	Veto of Bill No. 1721-An Ordinance directing the Board of Elections to place before the qualified voters of the City a referendum question as to whether or not said voters are in favor of amending the HRC to provide for the election of City Council Members: Nine by District only	1586
Woods, B.	Override Veto	Bill No. 1832-Resolution entitled, "Fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1987/Department of Public Safety 40 First Year Police \$429,000.00	1612

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485	Amending BOCA Code Requiring that every window be capable of being easily opened and be held in position by window hardware	319, 420
1721	Place before qualified voters of the City a referendum question as to whether or not said voters are in favor of amending the Home Rule Charter to provide for the election City Council Members 1) Nine at large or 2) Nine by district only or 3) a combination of seven by district and two at large (SPONSORED BY MICHELLE MADOFF)	1334, 1521
1818	Directing the Board of Elections to place before the qualified voters a referendum question as to whether they are in favor of amending the Home Rule Charter to provide for the election of City Council (1) Nine at large or 2) a combination of seven by district and four at large (SPONSORED BY MR. O'MALLEY)	1404, 1524
1840	Placing before the qualified voters a referendum question as to whether they are in favor of amending the Home Rule Charter to provide for the election of City Council Members: 1) Nine at Large or 2) Seven by District (SPONSORED BY MR. WOODS)	1406, 1525
867	Directing the Allegheny County Board of Elections to place before voters a referendum as to whether the said voters are in favor of supplementing the Home Rule Charter, Section 511, "Competitive Bids"	626
1163	Providing for the establishment of the Pittsburgh Business and Labor Commission (SPONSORED BY MR. O'MALLEY)	910
222	Directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh an advisory referendum question as to whether or not said voters are in favor of the legalization of greyhound racing (SPONSORED BY MR. WAGNER)	118, 263

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1969	1007-BOCA Basic/ National Building Code Adoption	Adding Paragraph 114.3.1(k)- Microfilming of Plans	1520, 1570
1968	1007-BOCA Basic/ National Building Code Adoption	Requirement of Certificate of Use and Occupancy	1519, 1569
1591		Adding Chapter 176, "Comprehensive Municipal Pension Trust Fund"	1228, 1306
938	161-Contracts	Adding Section 161.20 Minority Business Enterprise (SPONSORED BY MICHELLE MADOFF)	671
939	161-Contracts	Establishing certified and specific minority participation requirements in development proposals (SPONSORED BY MICHELL MADOFF)	671
868	161-Procedures	Advertising Contracts Exceeding \$5,000.00 by changing Councilmanic amount from \$5,000.00 to \$10,000.00	626, 685
869	161-Procedures	Bonds on small Contracts, by changing Councilmanic amount from \$5,000.00 to \$10,000.00 and by changing the "Dept. of Supplies" to read the "Dept. of General Services	627, 685
601	180-Personnel Administration of the Pittsburgh Code	Adding a new subsection-requiring drug testing for all new City employees (SPONSORED BY MR. WOODS)	432
846	191-Retirement and Severance Pay	Changing compulsory retirement age for firemen and policemen from sixty-five to sixty-eight years (68) of age	605
626	161-Procedures	Adding 161.20-Acquisition and Disposition of Animals and Plants at Zoo, Aviary and Phipps Conservatory	467, 547

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1869		Adding Chapter 248, the Medical and Higher-Educational Facilities User Privilege Tax (SPONSORED BY MR. O'MALLEY)	1436
1824	241-Amusement Tax	Changing the general rate found in Subsection (a)	1404
1821	243-Business Privilege Tax	Changing the rate of tax	1404
1825	245-Earned Income Tax	Changing the rate of tax	1404
1819	246-Home Rule Earned Income Tax	Changing the rate of tax and by clarifying administrative procedure	1404
1822	247-Institution and Service Privilege Tax	Changing the rate of tax	1404
1826	249-Mercantile License Fees and Tax	Changing the rate of tax	1404
1827	251-Occupation Privilege Tax	Changing the rate of tax	1404
1823	253-Parking Tax	Changing the rate of tax	1404
1828	255-Realty Transfer Tax	Changing the rate of tax and by conforming the Exceptions to amendments of the Enabling Act	1404
1820	256-Realty Transfer Tax	Changing rate of tax and conforming Exceptions to amendments of the Enabling Act	1404
1829	261-Personal Property Tax	Changing the rate of tax	1405
1830	263-Real Property Tax	Levying the real property tax for 1987	1405, 1595

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598	541-General Parking Regulations	Prohibition in specified places by clarifying the prohibited parking space at a transit stop-Within fifteen feet of a transit stop sign	432, 510
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25	601-Public Order	Adding subsection 601.12(k) Refuse in Golden Triangle Area (SPONSORED BY MICHELLE MADOFF)	21
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1663	719-Vendors and Peddlers	Providing for the right to stationary peddling and vending locations throughout the day and regulating peddling and vending in the proximity of related business establishments	1275
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1967	777-Mechanical Amusement Devices	Changing date for payment of late fee and providing for reduced fee in event a license effective after June 30	1519, 1569

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1358	803-Amendments	Adding Subsection F-410.4 "Candella System Fee", which provides that any person who has a Candella Alarm System installed in their building be required to pay annual service fee	1048, 1106
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20		Creating two Special Exceptions of Adjustment for a Group Residence Facility and a Group Care Facility; Revising the existing Conditional Use Exception to allow an Institutional Facility in certain "M" Districts; Eliminating Conditional Use Exceptions for Group Residence Facilities and Group Care Facilities; Revising existing definitions of Group Residence Facility and Group Care Facility (SPONSORED BY MR. GRABOWSKI)	20
1655		Redefining term "Restricted Access Highway"; by adding fifth statement of intent under Purpose of Signs Chapter; by redefining definition of a "V-Type" advertising sign	1274
1656		Designating 40 additional roadways as "Restricted Access Highways"	1274
1580	957 and 981	Requiring Administrator Approval of a Site Plan in "C4" Commercial Districts for new or changed use of land; for every structure to be erected, enlarged or altered for a residential use in excess of 2 dwelling units and for every structure to be erected or enlarged for a commercial use in excess of 2,400 sq. ft of gross floor area	1225, 1396

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1123	1007-Special Historic Buildings and Districts	Providing for protection during the designation process, by providing for administrative approvals and by providing for the procedure to be followed when there is an exception to the effects of designation (SPONSORED BY MR. POLLOCK)	885, 1145
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520	Nitro Entertainment	Decide the future of developing a Marina/ Restaurant Complex for Stadium Area	367
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1139	Pittsburgh Residents	Mayor's proposal to close 4 Police Stations, the reduction of Police personnel and other administrative changes, and the poor morale among the Police force	888
1363	Pittsburgh Residents	Concerning the City's construction of a ballfield adjaent to St. Boniface Church on East Street	1050
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1447	Pittsburgh Residents	Concerning the impact of the LTV bankruptcy in the community of Pittsburgh, the future of electric furnaces in South Side, the coke ovens in Hazelwood, severance pay, retiree's pensions and benefits	1091
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1553	Pittsburgh Residents	Regarding the use of skateboards and ramps on City of Pgh. neighborhood streets	1200
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1688	Pittsburgh Residents	Regarding legislation presently being considered namely Bill No. 1591 which would create a Comprehensive Municipal Pension Board and Bill No. 1592 which would create and transfer monies to a Comprehensive Municipal Pension Trust Fund	1279
1747	Pittsburgh Residents	Concerning the proposed Beer-4-Less location in the East Mall, in the East Liberty section of the City	1337
1748	Pittsburgh Residents	Concerning the issue of Pittsburgh "twinning" with a Nicaraguan City	1338
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1970	Pittsburgh Residents	Regarding the issue of district elections, Bill No's. 1840, 1818 and 1721	1520
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448	Pittsburgh Residents	Requiring refuse collectors to pick up trash and refuse in yards	262
450	Pittsburgh Residents	Preventing the City of Pittsburgh from refusing to grant parade permits for road races (running) on Sundays due to religious services and objection by religious leaders	263
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781	Pittsburgh Residents	Concerning the Mayor's Annual Report on Military Spending and the impact on the local economy with regard to jobs and social services	567
850	Pittsburgh Residents	Concerning Councilwoman Michelle Madoff's claim for damages suffered as a result of a job related injury	606
924	Pittsburgh Residents	Concerning School based "Comprehensive Health Clinics" which dispense birth control drugs and devices to minor children	648
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1589		Leasing of office space and necessary services required due to the relocation and housing of the various occupants of the Public Safety Building	\$1,600,000	1227, 1254
1726		Public Service Campaign for promoting the City's non-emergency telephone number (SPONSORED BY MICHELLE MADOFF)	\$2,000	1335, 1569
795		Supervisory Update Program for Water Department personnel	\$1,250	586, 636
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1352	Agency	Implement the "Pgh. Literacy Initiative"	\$60,000	1048, 1105
423	Agencies (Various)	Implementation of City of Pittsburgh's II-A State Educational Grant Program	\$606,000	258, 370
424	Agencies (Various)	Implementation of City of Pittsburgh's II-A Job Training Partnership Act Program	\$2,285,000	258, 370
1841	Allegheny Chamber of Commerce	Professional services in connection with the Business Outreach Program (SPONSORED BY MR. WOODS)	\$3,000	1406, 1493
631	Allegheny County Institutional District	Federal Area Plan for Programs on Aging		468, 548
12	Allegheny County Amend Res. 592 of 1985	Cooperation Agreement for the County's share of the Rehabilitation of City-County Building Roof		19
1660	Amending Res. 113 of 1983	Reduced Fare Bus Project in the Hill District and Oakland		1275, 1395
1595	Amending Res. 354 of 1986	Provision for computer training services to City Information Systems		1228, 1309
1594	Amending Res. 355 of 1986	Automated Activities tracking system for the Department of Law		1228, 1309
1620	Amending Res. 880 of 1981	Professional services in connection with the Phase II Design of Volunteer's Field	\$20,000	1246, 1353
98	American Wind Symphony	Professional Services	\$25,001	35, 100
90	Arsenal Board of Trade	Professional Services	\$2,000	34, 98
1132	Associate Consultants, Inc.	Management and technical assistance to small, disadvantaged and minority business firms	No Cost	887, 953
590	Automated activities tracking system	Assessment	\$8,000	430, 506

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1810	Bedford Dwellings Residence Council Amending Res. 230 of 1986	Food Distribution to unemployed		1402
713	Bedford Springs Festival Orchestra	July 4th Evening Musical Presentation	\$9,000	531, 595
641	Bethlehem Haven Repealing Res. 791 of 1985	Homeless-support	\$90,000	469, 611
313	Bidwell, Inc. Amending Res. 82 of 1985	Construction of a facility to be used for organization's offices and vocational training program	\$80,000	189, 291
1507	Bloomfield Citizens Council Amending Res. 558 of 1986	Professional Services (SPONSORED BY MR. GIVENS)	\$1,500	1162, 1210
89	Bloomfield Citizens Council	Professional Services	\$1,500	34, 98
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936	Borough of Green Tree	Resurfacing of Elmdale Road		671, 806
937	Borough of Mt. Oliver	Resurfacing of Ottilla Street		671, 807
83	Brashear Association	Professional Services	\$10,000	34, 97
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1037	Center for Emergency Medicine	Emergency Medical Services System for protection of life and health of the people	\$42,896	797, 869
1785	Center for Emergency Medicine	Medical Command for the Bureau of Emergency Medical Services	\$30,000	1381, 1448
1337	Center for Victims of Violent Crimes	Administrative support	\$25,000	1045, 1102
1257	Center for Victims of Violent Crimes	Professional Services in connection with advocacy services	\$30,000	966, 1027
92	Champions Association	Professional Services	\$10,000.00	35, 98
1031	Charles E. Davis Construction Co., Inc.	Financial Assistance		797, 867
1327	Charles E. Davis Construction Co., Inc.	Financial Assistance		1044, 1066
1330	Christian Housing, Inc.	Site clearance and site Improvement	\$50,000	1045
84	Civic Light Opera	Professional Services	\$20,000	34, 97
512	Civic Light Opera	Amending Res. 53 of 1986		
		Professional Services (SPONSORED BY MRS. MASLOFF)		365, 438
1149	Commonwealth of PA		\$85,000	908
1505	Commonwealth of Pennsylvania		\$60,000	1161
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1917	Commonwealth of Pennsylvania, Department of Transportation Amending Res. 1262 of 1985			1512, 1571
1617	Commonwealth of PA Department of Transportation	Engineering services-In-Depth Inspection of the Fort Pitt Boulevard-Eastbound/Market Street Bridges	\$60,000	1245, 1352
1343	Community-Based organizations	Community and economic development planning assistance	\$200,000	1046, 1103
1391	Computer Support Associates	Professional services in connection with an automated time keeping payroll system	\$15,000	1061, 1146
589	Computer Training Associates	Provision	\$15,000	430, 506
152	Consortium of Municipalities CAD Consortium	Designing, Developing, Testing and implementing computer-aided dispatching software for the Public Safety Department	\$30,000	53, 130
580	Consultant(s) Repealing Res. 876 of 1982	Engineering Services	\$9,500	429, 507
796	Consultant	Implementing revenue generation- Department of Parks and Recreation	\$35,000	586, 637
602	Consultant(s)	Professional services-Office of Professional Responsibility within the Department of Public Safety	\$26,000	432, 510
836	Consultant(s)	Consulting service to work with various agencies of government	\$16,000	604, 649
670	Consultant(s)	Architectural/Engineering Services	\$30,000	501, 572
1150	Consultant(s)	Professional services- Rehabilitation of the Schenley Park Underpass	\$45,000	908, 976
1151	Consultant(s)	Construction Services- Reconstruction of Grant Street	\$150,000	908, 976

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1112	Consultant(s)	Design of the South 12th Street Bridge	\$30,000	883, 955
1119	Consultant(s)	Implementation of Foreman's Supervisory Development Program for City employees	\$25,000	885, 950
1134	Consultant(s)	Providing architectural and design services, market studies, promotional activities as part of the City's Neighborhood Business District Revitalization Program	\$207,000	887, 970
1027	Consultant(s)	Implementing a two-way communications process for purpose of citizen involvement in planning City Programs		796, 834
581	Consultant(s)	Design and Construction services-Reconstruction-Arlington Avenue	\$1,300,000	429, 523
411	Consultant(s)	Rehabilitation of Roofs of Various Buildings	\$28,000	256, 396
1406	Consultant(s)	Design of Public Safety Boat Docks and Building		1085, 1176
1649	Consultant(s)	Engineering Services in connection with the Design of the Emergency Operation and Communications Center	\$20,000	1272, 1353
1192	Consultant(s)	In-Depth Inspection of the Ohio River Boulevard Bridges No. 1 and No. 2	\$30,000	940, 1028
1193	Consultant(s)	In-Depth Inspection of the Columbus Avenue and Allegheny Avenue Bridges	\$35,000	940, 1028
1324	Consultant(s)	Preparing a two-way communications process for purpose of citizen involvement in planning, implementing and evaluating City programs	\$375,000	1043, 1065

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1618	Consultant(s)	Engineering Services in connection with the Rehabilitation of a portion of Fort Pitt Boulevard-Eastbound		1245, 1352
1505	Consultant(s)	Preliminary and final design services in connection with Replacement of the Larimer Bridge		1161, 1235
1567	Consultant(s)	Professional Engineering Services/ Design-Retrofit/Rehabilitation/ Renovations/Asbestos Removal of the Public Safety Building	\$605,000	1223, 1256
1568	Consultant(s)	Architectural/Engineering Services/ Design-Various Fire Stations designated to handle the new proposed fire equipment	\$75,000	1223, 1257
1582	Consultant(s)	Transportation Systems Management study in portions of the Squirrel Hill area	\$30,000	1226, 1313
1371	Consultant(s)	Architectural/engineering services-design of roof rehabilitation	\$25,000	1058, 1146
1922	Consultant(s)	Engineering Services in connection with the In-Depth Inspection of the Shadeland Avenue Bridge		1512, 1572
1955	Consultant(s)	Consulting services	\$25,000	1518, 1558
1956	Consultant(s)	Consulting services	\$25,000	1518, 1558
1923	Consultant(s)	Engineering Services in connection with the In-Depth Inspection of the Meadow Street Bridge		1513, 1572
1852	Consultant(s)	Design of a Handicapped Accessible Nature Trail at Frick Park	\$20,000	1433, 1541
1617	Consultant(s)	Engineering services in connection with In-Depth Insepction of the Fort Pitt Boulevard-Eastbound/Market Street Bridges		1245, 1352
1148	Consultant(s)	Amended by Res. Capital Budget Program		907, 975
1285	Consultant(s)	Engineering & graphic design services-Implementation of the Zoo Master Plan		1037, 1067

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669	Consultant(s) Amending Res. 274 of 1985	Asbestos and environmental quality assessment and analysis		501, 572
1700	Consultant(s) Repealing Res. 593 of 1986	Engineering Services in connection with the design for increased illumination in Market Square	\$5,000	1331, 1417
1615	Consultant(s) Amending Res. 1126 of 1985	Engineering services in connection with the Shop Inspection of the fabrication of structural steel for Pennsylvania Avenue Bridge		1245, 1352
1613	Consultant(s) Amending Res. 145 of 1986	Engineering services in connection with the shop inspection of the fabrication of the structural steel for the Bloomfield Bridge		1245, 1350
716	Consultant(s) Amending Res. 209 of 1985	Performance Audit of Controller's Office		532
498	Consultant(s) Amending Res. 122 of 1986	Professional Services- Capital Budget Program		364, 439
811	Consultant(s) Repealing Res. 357 of 1986	Professional Services/Office of Responsibility (SPONSORED BY MR. WAGNER)	\$26,000	589, 615
410	Consultant(s) Amending Res. 900 of 1985	Professional engineering services- City Survey Control System		256, 396
497	Consultant(s) Amending Res. 771 of 1985	Removal and disposal of wastes encountered during excavation of Bloomfield Bridge		363, 438
412	Consultant(s)	Design of the Rhododendron Picnic Shelter	\$10,000	256, 398
210	Consultant(s)	Structural steel for the Bloomfield Bridge	\$6,000	116, 218
395	Consultant(s)	Aerial Tramway Feasibility Study	\$50,000	228, 293
56	Consultant(s)	Providing new base maps of the City and incorporate them into the Lands Records Management System and purchase equipment	\$300,000	25, 64

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36	Consultant(s)	Research, preparation, evaluation, administration and validation of Civil Service entrance and promotional examinations	\$10,000	23, 58
31	Consultant(s)	Service - State Assistance and Fundings	\$25,000	22, 56
293	Consultant(s) Amending Res. 17 of 1979	Inspection of Baum Boulevard Bridge		186, 307
208	Consultant Amending Res. 1081 of 1985	Capital Budget Program		115, 168
1317	Consulting Firm	Prepare annual defense spending report for City of Pittsburgh for 1987, 1988, and 1989	\$10,000	1042, 1096
1158	Contractor	Professional Services	\$19,500	909, 973
1872	Contractor	Conduct field surveys to ascertain the completeness and accuracy of City Wage tax data files	\$25,000	1436, 1535 1546
1422	Contractor(s)	Professional services for monument renovations	\$76,000	1087, 1175
1207	Contractor(s)	Special Events and Cultural Affairs 1986 Great Race/Finish Line Services	\$19,605	942, 1002
943	Contractor(s)	July 4th Synchronized Music/ Fireworks Show	\$45,000	672, 812
630	Contractor(s)	Professional Services	\$25,000	467, 548
628	Contractor(s)	Professional Services	\$81,865	467, 547
1165	County of Allegheny	Constructing and repairing bridge between the Liberty Center Hotel and the Convention Center		910, 968
862	County of Allegheny	Reconstruction and maintenance of traffic signalization and Street Lighting		626, 680
1514	County of Allegheny and Authority for Improvements to Municipalities	Concerning certain annual grants to the City commencing with the year 1986	1163, 1231	
555	County of Allegheny School District	Cooperation Agreement-implement a pilot program	\$25,000	414, 474

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<u>BILL</u>	<u>SUBJECT</u>	<u>REASON</u>	<u>AMOUNT</u>	<u>PAGE</u>
618	County of Allegheny Amending Res. 602 of 1984	Renovation of elevator "K"	\$75,000	465, 539
1164	Court Reporter(s) Amending Res. 19 of 1986	Taking testimony at Civil Service Commission and Appeal Board Hearings		910, 968
35	Court Reporter(s)	Taking testimony at Civil Service Commission and Appeals Board hearings	\$1,000	22, 58
881	David M. Griffith and Associates	Prepare cost allocation plan and indirect cost study for a three year period	\$18,000	628, 742
30	Dickie, McCamey and Chilcote	Legal services	\$40,000	22, 56
97	Duquesne University	Professional Services	\$25,000	35, 99
477	Educational Institution(s)	Work-Study Program	\$3,000	317, 419
1339	Elder-Ado, Inc.	Housing counseling services to assist elderly and low income persons	\$25,000	1046, 1103
1058	Engineering Services Amending 390 of 1985	Design and Construction of Main Salt Storage Dome		828, 893
1206	Ernest T. Williams Center	East End Raiders Football Team (SPONSORED BY MRS. MASLOFF)	\$2,000	942, 1001
1000	Fifteenth Ward Volunteer's	Summer Football Program (SPONSORED BY MR. WOODS)	\$1,500	740, 835
1345	Freedom Unlimited	Renovation of a facility for community group office space	\$40,000	1047, 1104
1190	Gannett Fleming	In-Depth Inspection of Schenley Park Bridge over Boundary Street	\$25,000	940, 1028
1191	Gannett Fleming	In-Depth Inspection of the Schenley Park Bridge over Panther Hollow	\$25,000	940, 1028
1432	Generations Together	Youth volunteer services for elderly program	\$15,000	1089, 1143
704	GeoMechanics Amending Res. 736 of 1983	Design of rehabilitation of Monongahela Incline Support Wall		530, 597

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<u>BILL</u>	<u>SUBJECT</u>	<u>REASON</u>	<u>AMOUNT</u>	<u>PAGE</u>
1165	Grant Liberty Development Associates	Locating, constructing and repairing a bridge between the Liberty Center Hotel and the Convention Center		910
87	Greater North Side Athletic Association	Professional Services	\$1,000	34, 98
1810	Greater Pittsburgh Visitors and Convention Bureau			
	Amending Res. 230 of 1986	Construction of a new building		1402, 1493
396	Greater Pittsburgh Visitors and Convention Bureau	Construction of a new building,		
		Construction of a new building	\$68,500	228, 342
143	Hammer, Silver, George Associates			
	Amending Res. 1015 of 1979	Food District Development Study		52, 128
1725	Hands-On Driver Training	Professional services	\$48,000	1335, 1415 1445
732	Hazelwood/Glen Hazel Council, Inc.			
	Amending Res. 789 of 1985	Rehabilitation of public building		534, 594
1711	Health and Welfare Planning Association	Commission on Families	\$50,000	1333, 1412
1353	Hill District Citizens Development Corporation	Rehabilitation of a building for office space	\$20,000	1048, 1105
1133	Hill District Community Development Corporation	Implementing a vacant lot treatment program in Centre-Wylie Commercial area	\$25,000	887, 953

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<u>BILL</u>	<u>SUBJECT</u>	<u>REASON</u>	<u>AMOUNT</u>	<u>PAGE</u>
1810	Hill District Project Area Committee Amending Res. 230 of 1986	Assist in Neighborhood Revitalization Activities		1402
1348	Hill House Association	Renovation of a building	\$27,000	1047, 1104
917	Hill House Community Service Amend 801 of 1985	Implementation of the Home Security Program; and installation of locks and smoke detectors		647, 683
1347	Homewood Brushton Community Improvement Association	Rehabilitation of a facility to expand the organization's social services program	\$75,000	1047, 1104
88	Homewood Brushton Stinger Athletic Association	Professional Services	\$5,000	34, 98
1340	Homewood Brushton Citizens Renewal Council	Rehabilitation of a structure for use as a multi-purpose recreation center	\$55,000	1046, 1103
1346	Horizon Homes Inc.	Rehabilitation of a building for office space	\$30,000	1047, 1104
32	Hospitals/ Physicians (Various)	Administration and evaluation of medical examinations and tests for Civil Service Commission's Medical Examination Program	\$100,000	22, 57
916	Housing Authority	Cooperation Agreement-Summer Cleaning and Beautification Program	\$50,000	646, 683
1332	Hunger Action Coalition	Administrative assistance and operating funds	\$50,000	1045, 1102
103	Independent Contractors (Various)	Professional Services	\$30,000	36, 100

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<u>BILL</u>	<u>SUBJECT</u>	<u>REASON</u>	<u>AMOUNT</u>	<u>PAGE</u>
104	Independent Contractors (Various)	Preschool Program	\$21,000	36, 101
252	JGS Associates, Inc.	Employee Performance Program	\$26,000	146, 235
965	James Staud	Veterinarian services/treatment of dogs assigned to Canine Unit	\$3,000	675, 815
1121	Job Training and General Assistance Welfare Recipients Program			885
765	Jubilee Association, Inc.	Professional Services (SPONSORED BY MR. GRABOWSKI)	\$5,000	565, 611
1019	Kolling, C. Repealing Res. 75 of 1985	Terminate related agreement for professional consulting services (SPONSORED BY MR. GRABOWSKI)	\$25,000	794
1679	Labor Management Committee	Training in decision making processes, group dynamics, and labor management committees implementation and procedures	\$4,000	1278, 1383
34	Laboratory or Laboratories	Administering tests for City employees	\$1,500	22, 58
1028	Lawrenceville Citizens Corp. Amending Res. 713 of 1984	Establish a local development corporation to pursue neighborhood revitalization	\$110,000	796, 866
1433	Lawrenceville Development Corp.	Administrative Assistance in developing housing activities for low/moderate income families	\$18,000	1089
1336	Legal Advocacy for Women	Counseling and information for low-income women in obtaining child support payments	\$40,000	1045, 1102
261	Legal Counsel	Metropolitan Pittsburgh Crusade for Voters v. City of Pgh.	\$75,000	147, 194
1171	Lemington Home	Administrative Assistance	\$250,000	911, 970
1009	Mackin Engineering Co. Amending Res. 211 of 1985	Bloomfield Bridge Replacement		792, 842

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635	Maintenance Management System	Automating	\$20,500	468, 538
1701	Michael Baker, Jr., Inc.			
	Amending Res. 1040 of 1983	Hydroelectric Project		1331, 1418, 1448
1661	Miryam's, Inc.	Rehabilitation of a facility to be used to house the homeless		
	Amending Res. 502 of 1986		\$15,000	1275, 1396
1810	Mom's House			
	Amending Res. 230 of 1986	Rehabilitation of building		1402
1680	Money Management firms	Management of the assets of the City of Pittsburgh Pension Reform Trust Fund	\$200,000	1278, 1383
314	Mt. Washington Children's Center Amend Res. 793 of 1985	Purchase of a building to establish a day-care center for low income and moderate income families	\$50,000	190, 292
425	Open Doors for the Handicapped	Establishing a job referral service for disabled City residents	\$12,500	258, 370
1036	Organization Support	Legal support for women program	\$8,500	797, 868
82	Ozanam Cultural Center	Professional Services	\$45,000	33, 97
1341	Parental Stress Center	Administrative support	\$27,000	1046, 1103
1017	Pennsylvania Department of Transportation			
624	Performers (Various)	Resurfacing of State Routes	\$1,400,000	794, 865
	Amending Res. 229 of 1986	Recreational and Instructional Programs (Various)	\$5,000	466, 509
1937	Performers, Instructors, Artists	Various recreational and instructional programs	\$10,000	1515, 1568
385	Performers, Instructors, Artists (Various)	Department's various recreational and instructional program	\$5,000	227, 347

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1864	Perry Hilltop Association for Successful Enterprises, Inc.	Rehabilitation of a building	\$65,000	1435, 1540
1350	Perry Hilltop Citizens Council	Purchase of a van to deliver food to low income families	\$15,000	1047, 1104
1333	Pittsburgh Action Against Rape	Professional services	\$50,000	1045, 1102
96	Pittsburgh Ballet	Professional Services	\$25,000	35, 99
918	Pittsburgh Clean Cities Committee	Employing economically disadvantaged youths to clean up and landscape City neighborhoods	\$15,473	647, 683
272	Pittsburgh Clean Cities Committee	Administering the lot maintenance and Greenway implementation activities of Property Management and Maintenance Program	\$150,000	149, 233
1334	Pittsburgh Community Services, Inc.	Implementation of the "Home Security Program"	\$320,000	1045, 1102
1338	Pittsburgh Community Services, Inc.	Administrative assistance	\$243,000	1046, 1103
526	Pittsburgh International Engineering, Inc.	Design of reconstruction- Blessing Street Wall		
	Amending Res. 903 of 1985			410
1342	Pittsburgh Mediation Center, Inc.	Administrative costs	\$15,000	1046, 1103
93	Pittsburgh Opera	Professional Services	\$38,000	35, 99
1349	Pittsburgh Opportunities Indus- trialization	Rehabilitation of a building	\$40,000	1047, 1104

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81	Pittsburgh Symphony	Point State Park Concerts	\$98,750	33, 96
629	Pittsburgh Trust for Cultural Resources	Professional Services	\$20,000	467, 547
413	Pittsburgh and Lake Erie Railroad Co.	Construct, maintain, renew, use and remove waterline		257, 398
1659	Port Authority Amending Res. 1112 of 1983	Operation of the Model Neighborhood Reduced Fare Bus Loop Project from May 1, 1980 -April 30, 1981		1274, 1395
1445	Port Authority	Continuation of the Hill District and Oakland Loop Bus	\$200,000	1091, 1234
1120	Pregnant and Parenting Youth Employment and Training Program			885
633	Private for Profit and Non Profit entities (Various)	1983 Community Development Block Grant Emergency Jobs Bill		
	Amending Res. 1201 of 1985	1983 Community Development Block Grant Emergency Jobs Bill Program		468, 537
595	Professional Auditing Services	1984-1986 Community Development Block Grant Program	\$50,000	431, 508
1217	Professional Realtor	Negotiations of a Lease Agreement in connection with the Island Restaurant	\$2,500	944
1066	Professional Services	Actuarial services including but not limited to costing of labor demands in the areas of pensions and health, vision, dental care and life insurance benefits	\$15,000	829, 890
1871	Prudential Insurance Company Amending Res. 573 of 1986	Administration of Deferred Compensation Plan for City of Pgh. personnel		1436, 1535
60	Psychologist/s	Professional Psychological Services for the Department of Public Safety	\$45,000	26, 70

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1165	Public Auditorium Authority, County of Allegheny, Grant Liberty Development Associates	Locating, constructing and repairing a bridge between the Liberty Center Hotel and the Convention Center		910
100	River City Brass Band	Professional Services	\$5,000	36, 100
86	Robert Morris College	Professional Services	\$10,000	34, 97
1616	Robert W. Hunt Co. Amending Res. 1015 of 1984	Engineering services in connection with the Steel Inspection for the Bloomfield Bridge		1245
409	Robert W. Hunt Co. Amending Res. 1015 of 1984	Steel Inspection for Bloomfield Bridge		256, 396
326	Salvation Army	Professional Services in connection with the Public Inebriate Program	\$50,000	192, 306
934	Salvation Army	Flood Relief Fund (SPONSORED BY MR. GIVENS)	\$50,000	670, 743
1593	School Dist. and/or County of Allegheny	Professional services in with City's sale or acquisition of real estate and real estate tax assessment matters involving real estate	\$25,000	1228, 1309
1092	Sharing and Caring, Inc.	Professional Services	\$5,000	860, 920
85	Sounds of Heritage	Professional Services	\$7,000	34, 97
1189	South Side Community Council	South Side Merchants Baseball Team (SPONSORED BY MR. DEPASQUALE)	\$1,500	940, 1001
1234	South Side Community Council Amending Res. 488 of 1986	Professional Services in connection with the South Side Sooners Youth Football Program (SPONSORED BY MR. WAGNER)	\$2,000	947, 1002

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1467	South Side Community Council Amending Res. 736 of 1986	Professional services-South Side Merchants Baseball Team (SPONSORED BY MR. GRABOWSKI)	\$1,500	1119, 1176
1331	South Side Local Development	Support for Main Street Program	\$35,000	1045, 1102
775	South Side Local Development	Implement Main Street Redevelopment Program	\$35,000	566, 611
779	South Side Sooners Youth Football Prog.	Professional Services		612, 656
1483	South Side Sooners Youth Football Program Amending Res. 738 of 1986	Professional Services (SPONSORED BY MR. WAGNER)	\$2,000	1122, 1176
1503	Special Populations Program Centers Amending Res. 686 of 1984	Construction in connection to accommodate the physically handicapped		1161, 1235
33	Specialized Professional Services	Negotiations and arbitration proceedings conduct	\$21,000	22, 58
733	Spring Garden Neighborhood Council and/or Esplan Citizen's Council	Capital assistance improvement	\$100,000	534, 595
518	St. Clair Citizens Council	Professional Services	\$5,000	367, 437
217	State-of-the Art Electronic Leak Detection/ Location Training Program	Department of Water Personnel	\$4,100	117, 214

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596	Steel Valley Authority	Various administrative items	\$50,000	431, 508
212	Steel Valley Council of Governments	Hydrolic Study of the West Run Creek	\$1,250	116, 214
1509	Steel Valley Council of Governments	Hydrolic Study of the West Run Creek	\$1,250	116Z, 1233
993	The Prudential Asset Management Company, Inc.	Professional services-administration of the Deferred Compensation Plan for City of Pgh. personnel	No Cost	739, 834
721	The Ruhlin Co. and the Urban Redevelopment Authority	Installing, an underground drainpipe		532, 592
99	Three Rivers Art Festival of Carnegie Institute	Professional Services	\$12,000	36, 100
640	Univeristy of Pittsburgh-Office of Urban and Community Affairs	Development of an Informational Profile of the Black Community in Pittsburgh	\$50,000	469, 545
102	University of Pittsburgh	Professional Services	\$5,000	36, 100
94	Uptown Athletic Association	Professional Services	\$5,000	35, 99
95	Uptown Little League	Professional Services	\$5,000	35, 99
273	Urban Redevelopment Authority	Performance of certain work in connection with the Small and Minority Contractor Assistance Program	\$66,049	149, 233
431	Urban Redevelopment Authority	Making of loans in connection with the Urban Redevelopment Authority's Business Reinvestment Fund	\$20,000,000	259, 322
433	Urban Redevelopment Authority	Administration of City programs and projects	\$240,000	260, 371

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434	Urban Redevelopment Authority	Designation and implementation of \$1,000,000 in tax exempt financing		260, 372
514	Urban Redevelopment Authority	Cooperation Agreement-to provide funds for making of loans	\$20,000,000	366, 478
734	Urban Redevelopment Authority	Administration of Brighton on the Park Housing Development Grant Project		535, 1128
843	Urban Redevelopment Authority	1986 Community Development Block Grant Program	\$8,229,000	605, 653
844	Urban Redevelopment Authority	Undertaking the following program in connection with the 1986 CDBGP	\$120,000	605, 653
1175	Urban Redevelopment Authority	Site improvements and development costs associated with the Pittsburgh Technology and Industry Park	\$400,000	911, 971
981	Urban Redevelopment Authority	Administering Mine Subsidence Relocation Program (SPONSORED BY MR. DEPASQUALE)	\$50,000	737
1804	Urban Redevelopment Authority	Implementation of Phase I of the City Center UDAG Project	\$6,000,000	1401, 1440
1806	Urban Redevelopment Authority	Implementation of Phase II of the City Center UDAG Project	\$6,000,000	1402, 1441
1808	Urban Redevelopment Authority	Implementation of Phase III of the City Center UDAG Project	\$6,000,000	1402, 1441
1435	Urban Redevelopment Authority	Pittsburgh Home Ownership Program Funds		1089, 1143
1437	Urban Redevelopment Authority	Community Development Block Grant Business Investment Fund Program Funds	\$1,100,000	1089, 1143
1438	Urban Redevelopment Authority	Housing Project	\$400,000	1089, 1144
1440	Urban Redevelopment Authority	North Shore Redevelopment Prog.	\$1,800,000	1090, 1144

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1444	Urban Redevelopment Authority	Designation and implementation of \$200,000 in Urban Development Action Grant Repayment Funds		1090, 1144
1773	Urban Redevelopment Authority	Implementation of the City Center UDAG Project	\$15,000,000	1379
1775	Urban Redevelopment Authority	Implementation of the Oakland Portal UDAG Project	\$1,250,000	1379, 1414
1776	Urban Redevelopment Authority	Implementation of Housing Projects funded by the Pennsylvania Dept. of Community Affairs	\$1,000,000	1379, 1414
1325	Urban Redevelopment Authority	Homewood South Redevelopment Project		1044, 1066
1859	Urban Redevelopment Authority	Implementation of the Bryn Mawr Road Project	\$200,000	1434, 1494
1126	Urban Redevelopment Authority, Diversified Development, Inc. and Hill Community Development Corporation	Financial Assistance		886, 918
1130	Urban Redevelopment Authority Amending Res. 974 of 1984	1983 Community Development Block Grant Program		887, 953
919	Urban Redevelopment Authority	Share of a local match of funding to develop a business plan for an employee owned and operated meat packing plant (Armour)	\$15,000	647, 683
142	Urban Redevelopment Authority Amending Res. 898 of 1985	Cooperation Agreement for work in conjunction with the 1986 Community Development Block Grant Program		51, 127

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1431	Urban Redevelopment Authority Amending Res. 476 of 1986	Cooperation Agreement for performance of certain work in connection with 1986 CDBG		1088, 1142
1174	Urban Redevelopment Authority Amending Res. 928 of 1985	Implement certain components of the Urban Development Action Grant Program		911, 971
1478	Urban Redevelopment Authority Amending Res. 1057 of 1985	Redevelopment of Pennsylvania Brighton portion of the Pennsylvania Kirkbride Redevelopment Area Project		1120, 1171
920	Urban Redevelopment Authority Miryam Inc.	Rehabilitation of a facility to be used to house the homeless	\$15,000	647, 684
720	Urban Redevelopment Authority Repealing 217 of 1986	Urban Redevelopment Authority's Business Reinvestment Fund	\$20,000,000	532, 591
1016	Urban Redevelopment Authority and Pittsburgh Water and Sewer Auth.	Wiggins Street Town House Project Bates Street Housing Development Grant		794, 870
54	Urban Redevelopment Authority Amending Res. No. 578 of 1985			25, 39
1255	Urban Redevelopment Authority	Cooperation Agreement providing for transfer of funds for site improvements for housing development in Homewood	\$141,716	966, 1001
426	Urban Youth Action	Employment activities to City of Pittsburgh youths	\$30,000	259, 370

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1173	Urban Redevelopment Authority Amending 256 of 1986	Designation and implementation of \$1,000,000.00 in tax exempt financing and developer's equity as the local matching share for a grant applied for in an application for financial assistance		911, 971
1344	Ursuline Center	Administrative support	\$35,000	1046, 1103
1784	Vietnam Veterans, Inc.	Bringing the Mobile Vietnam Veterans Memorial to Pittsburgh (SPONSORED BY MR. WAGNER)	\$7,000	1380, 1416
1426	WRS Motion Picture Lab	Grading and planting of trees on City owned property located in the 4th Ward, Bouquet Street		1088, 1168
642	Washington Heights Athletic Association Repealing Res. 806 of 1985	Construction of a facility	\$10,800	469
731	Washington Heights Athletic Association Amending Res. 806 of 1985	Construction of a facility (SPONSORED BY MR. POLLOCK)	\$10,800	534, 594
1026	Western Pennsylvania Conservancy	Professional Landscaping Services (SPONSORED BY MR. POLLOCK)	\$3,500	796, 835
302	Western Pennsylvania Conservancy	Professional Services (SPONSORED BY MR. GRABOWSKI)		188, 297
1335	Western Pennsylvania Conservancy	Community Self-Help Beautification and Community Gardening Programs	\$50,000	1045, 1102
181	Western Pennsylvania Water Company	Water line installation		82, 156
1657	Western Pennsylvania Conservancy Amending Res. 780 of 1986	Community Self-Help Beautification and Community Gardening Programs		1274, 1395

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91	Western Pennsylvania Conservancy	Professional Services	\$5,000	35, 98
101	YMCA	Professional Services	\$2,800	36, 100
382	YMCA (Garfield)	Professional services-Garfield Baseball Association Little League Program (SPONSORED BY MR. GIVENS)	\$4,000	226, 347
1351	YMCA	Developing a recreation tot/lot	\$20,000	1047, 1104

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603	Donahoe, D	Equipment Leasing Authority		433
1005	Dotter, E.	Board of Code Review	March, 1989	777
337	Givens, R.	Public Auditorium Authority	December, 1991	219
930	Kniss, G.	Pittsburgh Cable Communications Advisory Committee	December, 1987	658
339	Madoff, M.	Equipment Leasing Authority	December, 1986	219
	Masloff, S.	Committee on Cable		313
1850	O'Toole, P.	Member, Cable Communications Advisory Committee	December 31, 1987	1424
1802	Ondek, W.	Member, Allegheny County Sanitary Authority	December 31, 1987	1399
	Pollock, M.	Neighborhood Fund Board		525
340	Pollock, M.	Public Parking Authority	December, 1985	219
664	Ravenstahl, R.	Board of Water Assessors		483
665	Ravenstahl, R.	Board of Water Assessors		483
1851	Thacker, S.	Member, Cable Communications Advisory Committee	December 31, 1987	1424
1801	Wellons, C.	Member, Allegheny County Sanitary Authority	December 31, 1987	1399

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373	Alster, R.	Historic Review Commission		223
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355	Begis, M.	Board of Code Review		221
347	Caliguiri, J.	Zoological Park Commission		220
346	Caliguiri, J.	Zoological Park Commission	October, 1989	220
352	Caplan, A.	Board of Code Review	December, 1988	221
353	Caplan, A.	Board of Code Review		221
356	Claitman, E.	Board of Code Review	December, 1988	221
342	Creehan, J.	Water and Sewer Authority	December, 1990	219
369	Fischer, P.	Personnel Appeals Board		223
344	Fox, G.	Board of Adjustment	January, 1989	220
345	Fox, G.	Board of Adjustment	January, 1989	220
363	Guzman, A.	Board of Standards and Appeals		222
362	Guzman, A.	Board of Standards and Appeals	December, 1990	222
1996	Hughes, H.	District member, Pittsburgh Cable Communication Advisory Committee	December 31, 1988	1601
1998	Freedman, W.	District member, Pittsburgh Cable Communication Advisory Committee	December 31, 1988	1602
360	Ivey, J.	Historic Review Commission	December, 1988	222
361	Ivey, J.	Historic Review Commission		222
364	Liff, B.	Board of Code Review	December, 1988	222
365	Liff, B.	Board of Code Review		222
359	Liff, B.	Board of Standards and Appeals		221
358	Liff, B.	Board of Standards and Appeals	December, 1990	221
338	Matter, D.	Public Auditorium Authority	December, 1990	219
350	Mayo, M.	Board of Code Review	December, 1988	220
351	Mayo, M.	Board of Code Review		220
348	Merrell, W.	Board of Code Review	December, 1988	220
349	Merrell, W.	Board of Code Review		220
370	Miller, D.	Historic Review Commission	December, 1988	223
371	Miller, D.	Historic Review Commission		223
343	Preston, J.	Water and Sewer Authority	December, 1990	220
341	Robin, J.	Urban Redevelopment Authority	December, 1990	219
663	Robinson, Brooks, F.	Public Auditorium Authority of Pittsburgh	December, 1990	483
1997	Sherapin, H.	District member, Pittsburgh Cable Communication Advisory Committee	December 31, 1988	1601
366	Turner, D.	City Court	December, 1989	222
367	Turner, D.	City Court		222

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1831	Making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for year beginning January 1, 1987	1405, 1595

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1832	Fixing the number of officers and employees of all departments of the City and the rate of compensation thereof for the year beginning January 1, 1987	1405, 1595
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CAPITAL BUDGET

1833	Adopting and approving the 1987 Capital Budget and 1987 Community Development Block Grant Program; and approving the 1987 through 1992 Capital Improvement Program	1405, 1597
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CAPITAL BUDGET AMENDMENTS

<u>BILL</u>	<u>AMENDING</u>	<u>SUBJECT</u>	<u>PAGE</u>
516	Res. 1439 of 1981	Deleting a line item and adding the Site Improvements for Housing Development	366, 436
1200		Amending the 1986 Capital Budget to increase authorization for signals at various intersections	
827	Res. 1150 of 1985	Adopting and approving the 1985 Capital Budget and the 1985 CDBG Program; and approving the 1985 through 1990 Capital Capital Improvement Program, by correcting a code account, increasing a line item and adjusting the summary totals	941, 998
906	Res. 1150 of 1985	Adopting and approving the 1985 Capital Budget and the 1985 CDBG Program; and approving the 1985 through 1990 Capital Improvement Program," by increasing two line items	602, 637
			645, 776

CAPITAL BUDGET AMENDMENTS

<u>BILL</u>	<u>AMENDING</u>	<u>SUBJECT</u>	<u>PAGE</u>
1648	Res. 1283 of 1985	Adopting and approving the 1986 Capital Budget and the 1986 CDBGP; and approving the 1986 through 1991 Capital Improvement Program by creating a new line item/Design of the Emergency Operation and Communications Center, Bureau of Police	1272, 1353
1702	Res. 1283 of 1985	Adopting and approving the 1986 Capital Budget and the 1986 CDBGP; and approving the 1986 through 1991 Capital Improvement Program by creating a new line item/by creating 2 new line items	1231, 1419
1936	Res. 1283 of 1985	Adopting and approving the 1986 Capital Budget and the 1986 CDBGP; and approving the 1986 through 1991 Capital Improvement Program by increasing a line item and by decreasing a line item to purchase play/equipment	1515, 1568
1565	Res. 1283 of 1985	Adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program by creating a new line item EC 86-88 Retrofit of Public Safety Building and new line item of Public Safety Building	1223, 1256
1614	Res. 1283 of 1985	Adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program by increasing line item EC 86-33 Architectural/Engineering Contracts	1245, 1350
1057	Res. 1283 of 1985	Adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program, by creating a new line item	828, 893
922	Res. 167 of 1983	Resolution amending Section 10 of Resolution No. 167 effective March 7, 1983 as amended by Resolution Nos. 394 and 692 of 1983, by Resolution No. 940 of 1984, by Resolution No. 634 of 1985, and by Resolution Nos. 103 and 177 of 1986, so as to adjust several line items	647

CAPITAL BUDGET AMENDMENTS

<u>BILL</u>	<u>AMENDING</u>	<u>SUBJECT</u>	<u>PAGE</u>
921	Res. 1228 of 1979	Resolution amending Section 11 of Resolution No. 1228 of 1979 as previously amended, so as to correct several Department Summaries in error on previous Resolution No. 201 of 1986	647, 684
1148	Res. 288 of 1986	Professional Services in response to the Capital Budget Program	907
794	Res. 1283 of 1985	Adopting and approving the 1986 Capital Budget and the 1986 CDBG; and approving the 1986-1991 Capital Improvement Program, by increasing a line item and adjusting the Summary Totals	586, 635
515	Res. 1283	Changing two code accounts, one project title and adjusting a clerical error	366, 436
376	Res. 1283 of 1985	Creating a new line item	225, 355
1468	Res. 1283 of 1985	Adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program and approving the 1986 through 1991 Capital Improvement Program; increasing a line item adjusting the Summary Totals	1119, 1207, 1348
1504	Res. 1283 of 1985	Adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program and approving the 1986 through 1991 Capital Budget Improvement Program; increasing a line item EC 86-32, Engineering Services by \$125,000 to cover the salaries for the Department of Engineering and Construction personnel	1161, 1235
208	Res. 319 of 1985	Capital Budget Program - Increasing from \$100,000.00 to \$160,000.00	115
242	Res. 1210 of 1983	Transferring a Code Account from the Department of Public Works to the Department of Engineering and Construction	144, 232
1130	Res. 974 of 1984	Performance of certain work in connection with the 1983 Community Development Block Grant Program	887, 953
1431	Res. 476 of 1986	Performance of certain work in connection with the 1986 Community Development Block Grant Program	1088

CAPITAL BUDGET AMENDMENTS

<u>BILL</u>	<u>AMENDING</u>	<u>SUBJECT</u>	<u>PAGE</u>
264	Res. 1281 of 1985	Making certain additions and corrections	148, 274
513	Res. 1281 of 1985	Increasing estimated revenues and establishing a line item appropriation-URA Development Loan	366, 478
265	Res. 1282 of 1985	Making certain additions and corrections	148, 275

RESOLUTIONS - MISCELLANEOUS

ADVERTISING FOR PROPOSALS

<u>BILL</u>	<u>SUBJECT</u>	<u>PAGE</u>
873	Amending Res. 747 of 1985 Providing for advertising for proposals for equipment for use by several departments during Calendar year 1986, by raising the amount from \$5,000.00 to \$10,000.00	627, 686

ALLEGHENY COUNTY

1932	Initiating a three-phase program gifting ownership management and maintenance of the Pittsburgh Zoo, The Pittsburgh Aviary and Phipps Conservatory (SPONSORED BY MICHELLE MADOFF)	1514, 1548
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BONDS

1214	Increasing the bonded indebtedness of the City of Pittsburgh in the aggregate amount not to exceed \$200 million of refunding bonds for 1986	943, 993
1065	Increasing the bonded indebtedness in an amount not to exceed \$250 million in order to refund outstanding City bonds and to raise \$50 million for the City's Capital Construction Program	829, 951
1474	Amending and supplementing Res. No. 829 of 1984 by expanding the scope of previously authorized professional services contract with Mellon Bank to act as paying agent and registrar for certain outstanding General Obligation Bonds	1120, 1203

BUHL SCIENCE CENTER

1957	Authorizing the City of Pittsburgh to accept the gift of the Buhl Science Center, 22nd Ward	1518, 1559, 1594
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RESOLUTIONS - MISCELLANEOUS

CABLECAST HEARINGS

<u>BILL</u>	<u>SUBJECT</u>	<u>PAGE</u>
1835	Amending Res. 18 of 1983 Authorizing and Directing the Bureau of Cable Communications, to broadcast all of Council's Regular Legislative Sessions, Standing Committee Meetings by providing for the broadcast of all public hearings, except Zoning hearings (SPONSORED BY MR. WAGNER)	1405, 1472

**THE CARNEGIE
(CARNEGIE INSTITUTE)**

1958	Authorizing the City to enter into an Agreement with Carnegie Institute for a term of 25 years at a rental rate of \$1.00 per year	1518, 1559, 1594
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CARRYOVERS

266	Carrying over balances or portions remaining from 1985 to the same or other code accounts for the year 1986	148, 230
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CERTIFICATE OF ELECTION

1	Certificate of Election-Eugene DePasquale, Member of Council	2
2	Certificate of Election-Sophie Masloff, Member of Council	3
3	Certificate of Election-Mark Pollock, Member of Council	3
4	Certificate of Election-Ben Woods, Member of Council	4

CLEAN COMMUNITY SYSTEMS PROGRAM

268	Amending Res. No. 314 of 1985 - Funding to the Clean Community Systems Program in the amount of \$75,000.00	148, 231
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CONVENTION CENTER

224	Approving the Convention Center Proposal	945, 973
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DUQUESNE LIGHT COMPANY

245	Resolution-Duquesne Light Company to replace their lighting system Panther Hollow Bridge and nearby ramps in Schenley Park (SPONSORED BY MICHELLE MADOFF)	145, 211
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RESOLUTIONS - MISCELLANEOUS

GARFIELD JUBILEE ASSOCIATION

<u>BILL</u>	<u>SUBJECT</u>	<u>PAGE</u>
884	Authorizing the URA to expend a sum not to exceed \$10,000.00 from the Neighborhood Housing Fund for sidewalks and curbs on Browns Way in the 10th Ward in conjunction with Garfield Jubilee Association's housing development on the street	629, 681

GIANT EAGLE URBAN DEVELOPMENT ACTION GRANT

1125	Providing authorization to the Urban Redevelopment Authority of Pgh. to utilize \$400,000.00 of Giant Eagle Urban Development Action Grant Repayment Funds for Community Development Investment Fund	886, 918
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GRANTS AND DONATIONS REVENUE POSITION

1380	Authorizing Council to create a position in the 1986 Budget for an individual whose sole duty will be to solicit funds from the corporate and private sectors for the purpose of obtaining revenue for grants and donations (SPONSORED BY MICHELLE MADOFF)	1060, 1429
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GRANT-LIBERTY DEVELOPMENT ASSOCIATION

1165	Maintenance of Bridge between the Liberty Center Hotel and the Convention Center	910, 968
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HISTORIC LANDMARK STRUCTURE

57	Resolution-Designation of Howe-Childs-Gateway House as an Historic Structure	25, 436
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HOMEWOOD SOUTH PROPOSAL

1323	Approving the Homewood South Proposal, including Modification No. 3 to the Redevelopment Area Plan for redevelopment activities	1043, 1064
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IMPREST FUND

942	Establishment of an Imprest Fund for Phipps Conservatory in connection with the admission fees and concession area sales	672, 800
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RESOLUTIONS - MISCELLANEOUS

JOSEPH B. NATOLI RECREATION CENTER

<u>BILL</u>	<u>SUBJECT</u>	<u>PAGE</u>
1446	Changing name of Morningside Recreation Center to Joseph B. Natoli Recreation Center (SPONSORED BY MR. WOODS)	1091, 1175

JAMES L. SMITH INSURANCE AGENCY

478	Repealing Res. No. 1211 of 1985 Extension of Public Official Name Schedule Bond-Issued by American States Insurance Company	317, 419
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LEASE RENTAL DEBT

1156	Authorizing the City to incur lease rental debt by entering into equipment lease and amendment to existing lease with Leasing Authority	909, 954
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MODEL CITIES PROGRAM

144	Amending Res. No. 43 of 1976 Program categories for the CDEGP Development Block Grant Program Trust Fund and the Model Cities Program T.F.	52, 128
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NORTH SHORE PROPOSAL

1442	Approving the proposal dated September, 1986 for redevelopment activities in Redevelopment Area No. 39, 22nd and 23rd Wards	1090, 1313
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PENSION FUND

110	Resolution providing additional benefits to former employees who are beneficiaries of the Policemen's Relief and Pension Fund, Firemen's Relief and Pension Fund, and Municipal Pension Fund who retired prior to January 1, 1986 shall be paid additional \$10.00 per month	37, 92
1167	Establishing the Retiree's Pension Fund Trust Fund	910, 968
1592	Providing for transfer of assets of the City's various pension funds to the Board of Trustees of the Comprehensive Municipal Pension Trust Fund	1228, 1306

PHIPPS CONSERVATORY

942	Establishment of an Imprest Fund for Phipps Conservatory in connection with the admission fees and concession area sales	672, 800
1932	Initiating a three-phase program gifting ownership management and maintenance of the Pittsburgh Zoo, The Pittsburgh Aviary and Phipps Conservatory (SPONSORED BY MICHELLE MADOFF)	1514, 1548

RESOLUTIONS - MISCELLANEOUS

PUBLIC AUDITORIUM AUTHORITY

<u>BILL</u>	<u>SUBJECT</u>	<u>PAGE</u>
1215	Providing payment to the Public Auditorium Authority of Pittsburgh and Allegheny County of amounts with respect to the operation and maintenance of the Civic Arena	943, 969

PUBLIC HEARINGS

1835	Amending Res. 18 of 1983 Authorizing and Directing the Bureau of Cable Communications, to broadcast all of Council's Regular Legislative Sessions, Standing Committee Meetings by providing for the broadcast of all public hearings, except Zoning hearings (SPONSORED BY MR. WAGNER)	1405, 1472
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PUBLIC SAFETY

1137	Authorizing and directing an investigation of the Public Safety Department and the Bureau of Police (SPONSORED BY MR. WAGNER)	888, 974, 1002
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RESIDENTIAL PARKING PERMIT PROGRAM

1029	Implementation of Residential Sticker Parking Program in the Allegheny West Community	796, 866, 917
1354	Implementation of a Residential Parking Permit Program in the Bloomfield Community	1048, 1142
1928	Amending Sections 549.02(j), 549.05(b), 549.06(a), 549.07(a), of Ordinance No. 30 of 1981 which established the Residential Parking Permit Program to change definitions and responsibilities	1513, 1564

RIVER RESCUE BOAT

441	Contract(s) or Agreement(s) for the lease or rental of a River Rescue Boat	261, 348
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ROBERT MORRIS COLLEGE

1541	Resolution amending Resolution No. 418 of 1983 to authorize and require that Robert Morris College use any grant funds remaining from the Oktoberfest Program for payment of any operating costs and expenses associated with the Pgh. Folk Festival	1199, 1255
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RESOLUTIONS - MISCELLANEOUS

SEWAGE FACILITIES PLAN

<u>BILL</u>	<u>SUBJECT</u>	<u>PAGE</u>
863	Resolution adopting Official Sewage Facilities Plan for an interim on-lot system to serve the Ciotti property	626, 680
1060	Amending Official Sewage Facilities Plan of the City of Pittsburgh by adding a corrective action plan and schedule for Saw Mill Run	828, 865
1301	Adopting and approving the Official Sewage Facilities Plan for North Homewood Estates Plan	1039, 1101
761	Adopting Official Sewage Facilities Plan for Haslage Plan IV	564, 610
762	Adopting Official Sewage Facilities Plan for Pittsburgh Technology Center	564, 610
19	Monongahela Townhouse Plan Adopting Official Sewage Facilities plan revision	20, 63

SICK LEAVE

966	Extending the sick leave of Police Officer Thomas O'Donnell for a period of 50 days in an amount of \$5,160.00 (SPONSORED BY MR. WAGNER)	675, 815, 836
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STADIUM AUTHORITY

37	Amendment of Guaranty Agreement with Stadium Authority to include certain contractual obligations	23, 58
420	Resolution determining to incur lease rental debt by entering into a Guaranty Agreement with the Stadium Authority	258, 321
419	Establishing a Trust Fund to be known as the Business Development Trust Fund-repayment of funds advanced by the City to the Stadium Authority	258, 321

TRUST FUND CREATION

1038	Creating a Special Trust Fund to be designated as Community Crime Prevention Trust Fund for deposit of donations made for purpose of furthering the goal of crime prevention	798, 869
419	Establishing a Trust Fund to be known as the Business Development Trust Fund-repayment of funds advanced by the City to the Stadium Authority	258, 321
1473	Establishing the State Income Tax Withholding Trust Fund to meet requirements of forwarding to Commonwealth of PA.	1120, 1203
719	Repealing Res. 216 of 1986 Establishing a Trust Fund to be known as the Business Development Trust Fund	532, 591

RESOLUTIONS - MISCELLANEOUS

TRUST FUND CREATION

<u>BILL</u>	<u>SUBJECT</u>	<u>PAGE</u>
1514	Concerning certain annual grants to the City commencing with the year 1986 and continuing each and every year thereafter, through the year 2011, and also concerning annual deferred loans to the City in amounts not to exceed \$426,000.00 and providing for the creation of a special trust fund for deposit of said proceeds	1163
848	Amending Res. 744 and 952 of 1979 and 1982 Creating a Special Trust Fund for the receipt and disbursement of funds for training and related bank account, as amended by No. 952 to include disbursement for In-Service Training Trust Funds and by renaming the Trust Account the "Public Safety Training Account"	606, 657, 715
1903	Creating Special Trust Fund to be designated as the Microfilm Permit Plans Trust Fund	1468, 1569

CONDITIONAL USE APPLICATION

<u>BILL</u>	<u>LOCATION</u>	<u>APPLYING</u>	<u>WARD</u>	<u>PAGE</u>
188	East North Avenue; Hemlock, Porterfield; Fountain and James Streets	Allegheny General Hospital	22 & 25	83, 157
728	Fifth Avenue/6407	Ellis School	7	533, 682
923	Forbes Avenue	Duquesne University	1	647, 745
1124	Forbes Avenue/5738		14	886, 918
1710	McDonalds Corporation and Jiffy Lube Company	Construction of a Jiffy Lube Building	19	1333, 1411
685	Mexico Street	Facility for the Elderly	27	503, 682
996	O'Hara and DeSota Streets	Western Psychiatric Institute and Clinic Bldg.	4	740, 834
683	Pauline Avenue and Crosby Avenue	Housing Facility for the Elderly	19	503, 682
842	South Negley Avenue/ 215	Podiatry Hospital of Pittsburgh	8	605, 652
1511	Western Pennsylvania School for Blind Children	Raze certain buildings, construct new wings and redesign the exterior site	4	1163, 1395
729	Wilkins and Denniston Avenues	Rehabilitation Institute	14	534, 594

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DEPARTMENT OF ENGINEERING AND CONSTRUCTION

<u>BILL</u>	<u>SUBJECT</u>	<u>CONTRACT</u>	<u>PAGE</u>
238	1986 Spring Street Tree Planting Program		144, 238
1195	Armstrong Playground		
	Amending Res. 96 of 1984	Rehabilitation	940, 1028
11	Banksville	Construction of new swimming pool and community room	19, 71
1571	Charles Anderson Bridge	Rehabilitation	1224, 1316
127	City Streets Rehabilitation	Rehabilitation including paving	49, 131
	Amending Res. 567 of 1977		
12	City-County Building Roof		
	Amending Res. 592 of 1985	Rehabilitation of roof	19, 71
903	Davis Avenue Bridge		
	Amending Res. 216 of 1985	Rehabilitation	644, 774
1651	Dean Field		
	Repealing Res. 298 of 1982	Repair	1273, 1398
1611	Department of Public Works' Second Avenue Building		
	Department of Public Works	Reconstruction	1244, 1316
1015	Traffic Control Building		
	Eazor Garage Paint Shop	Roof Rehabilitation	794, 869
236	Repealing Res. 285 of 1985	Design and Installation of Sprinkler System and Firedoor	143, 238
		Construction	908, 976
1153	Emergency Medic Station 2		
1198	Fall 1986-87 Street Tree Planting Program		941, 1029
826	Fall Street Tree Planting Program	Various Community Development locations	
	Amending Res. 835 of 1985		602, 637
298	Fire Stations and Police Stations		
		Replacement of Windows	187, 307
859	Fire hoses and extinguishers	Purchase and installation	625, 715
10	Gomer St. at Greeley St		
	Amending Res. 559 of 1982	Reconstruction of existing retaining wall	19, 71
907	Grant Street, Phase 2 (From Sixth Avenue to Fourth Avenue)		
		Reconstruction	645, 776
378	Herron Hill Fire Station	Replacement of overhead doors	226, 355
616	Housing Authority Playgrounds (Various)		
	Amending Res. 97 of 1984	Rehabilitation	465, 549

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DEPARTMENT OF ENGINEERING AND CONSTRUCTION

<u>BILL</u>	<u>SUBJECT</u>	<u>CONTRACT</u>	<u>PAGE</u>
1152	Lighting at Allegheny Commons Park		
	Amending Res. 815 of 1985	Installation	908, 976
1058	Main Salt Storage Dome	Engineering and	
	Amending Res. 390 of 1985	Constructin services	828
211	Martin Luther King School Playground	Renovation	116, 218
904	Martin Luther King School Playground		
	Amending Res. 149 of 1986	Renovation	644, 716
414	Melancthon Street Footbridge	Demolition	257, 570
701	Modular Office/Maintenance Building	Fabrication and erection	529, 572
1059	Modular Office/Maintenance Building-Dept. of Public Works		
	Amending Res. 395 of 1986	Fabrication and erection	828, 893
1293	No. 11 E.M.S./No. 1 Rescue Headquarters	Renovations	1039, 1106
1502	No. 42 Fire Station	Construction	
	Amending Res. 1234 of 1980		1161
1294	North Side Public Safety Building Air Conditioning		
	Cooling Tower	Rehabilitation	1039, 1107
1497	Overlooks on Grandview Ave.	Repairs	1159, 1211
1572	Park facilities	Light installation or replacement	1224, 1316
668	Penn Avenue		
	Amending Res. 167 of 1986	Reconstruction	501, 572
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294	Playgrounds (Various)	Renovation	187, 307
13	Playgrounds	Rehabilitation of	
	Amending Res. 1088 of 1985	Playgrounds	19, 71
237	Public Safety Building	Renovations to third floor	144, 394
1566	Public Safety Building	Retrofit/Rehabilitation/ Renovations/Asbestos Removal	1223, 1256
1650	Public Safety Building		
	Amending Res. 251 of 1986	Renovation	1273, 1353

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	Cooling Tower		
	Amending Res. 158 of 1985	Rehabilitation	225, 395
1407	Rhododendron Shelter	Renovation	1085, 1177
1372	Roof System	Roof Replacement	1059, 1147
9	Saw Mill Run Boulevard and Library Road	Sewer Reconstruction and Intersection Chamber	
	Repealing Res. 644 of 1983		18, 130
296	Schenley Tennis Courts	Renovation	187, 307
299	Senior Citizens Centers	Renovation	187, 308
1196	Sidewalk Ramps for the Handicapped		
	Amending Res. 212 of 1985	Construction	940, 1028
1501	Six synchronous motors		
	Repealing Res. 555 of 1983	Rehabilitation	1161, 1234
1503	Special Populations Program Centers		
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705	Spring Garden Neighborhood	Sidewalk Construction and Reconstruction	530, 597
464	Stadium Street Retaining Wall		
	Amending Res. 1261 of 1985	Reconstruction	315, 421
1292	Streets, Lighting and Waterlines		
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1295	Thomas Boulevard and McPherson Boulevard Traffic Islands	Rehabilitation	1039, 1211
1291	Tropical Forest Facility		
	Amending Res. 197 of 1986	Construction	1038, 1067
297	Tropical Forest Facility		
	Pittsburgh Zoo	Construction	187, 307
295	Turfed Areas and Ballfields (Various)	Renovation	187, 307
1194	Turfed Areas and Ballfields		
	Amending Res. 199 of 1986	Renovation	940, 1028
499	Various Park Facilities	Construction in connection with Renovation	364, 439
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1197	Walls		
	Amending Res. 750 of 1983	Construction	941, 1029

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787	Windows at Fire Stations	Replacement	585, 616

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676	Filing System	Furnishing and delivery	502, 568
1218	Filing System in the	Furnishing, Delivery	
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718	Honeywell Computer	Purchase additional	
		memory and accessories	532, 591
800	Job Training Partnership Act	Implementation and/or	
	Program	distribution of public	
		relations, marketing	
		and recruitment materials	587, 609
947	Job Training Partnership	Development, design,	
	Act Program	printing, publication,	
	Repealing Res. 434 of 1986	delivery, implementation	
		of materials	672, 803
1166	Mailroom Equipment	Furnishing, delivery,	
	and Furniture	and installation	910, 968
675	Office Furniture	Furnishing and delivery	502, 568
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		with Strip District	
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1318	Work Stations	Purchase and installation	1043, 1099
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131	Capital Construction Division	Rental and repair of equipment	50, 127
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1062	Compressor, Paving Breaker, Chipping Hammer, Vibratory Roller and Accessories	Purchase and delivery	829, 892
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74	Hydraulic Pipe Cutters, Plate Wackers, Sump Pumps, Compressors, Jumping Jacks	Purchase	32, 95
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816	Office furniture	Purchase	590, 636
546	Park maintenance equipment (Various)		
	Amending Res. 169 of 1986	Furnishing and delivery	413, 482
870	Personal property	Maintenance, rental, inspection, or servicing for Calendar year 1987	627, 685
254	Phipps Conservatory	Furnishing and installing a misting system	146, 234
175	Play Equipment	Furnishing and delivery of various play equipment	81, 165
176	Pool Pumps (Various)	Furnishing and delivery of pool pumps and equipment	81, 165
793	Public Buildings (Various)	Maintenance	586, 635
1589	Public Safety Building	Leasing of office space and services due to relocation of the occupants of the Public Safety Building	1227, 1254
627	Radios (Portable)	Furnishing at the Pittsburgh Zoo	467, 546
1685	Scuba and Water Rescue Equipment	Purchase	1279, 1397
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547	Pittsburgh Aviary Materials	Furnishing Purchase	1276, 1397 413, 483
1115	Shark Tank at the Pittsburgh Zoo Amending Res. 127 of 1986	Renovations	884, 920
174	Shark Tank Pittsburgh Zoo	Repairs and renovation to the shark tank at the Pittsburgh Zoo	81, 166 531, 595
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1256	Condemned buildings	Demolition and removal	966, 1027
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1686	Fire Hose and Nozzles	Purchase	1279, 1398
1099	Personal Distress Device	Purchase	861, 921
646	Public Safety Building	Renovation	470, 548

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129	Concrete Slab Replacement	Concrete slab replacement at various locations	50, 121
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1412	Equipment	Rental and Repair	1086, 1169
829	High pressure sodium street lighting	Design, lease, purchase, and installation	603, 651
617	Municipal Services Cable Channel 15 and Bureau of Cable Communications TV Production Facilities	Purchase, lease, installation of supplies and materials	465, 539
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532	Amending Res. 820 of 1985	23rd Street 2	411, 479
17	Auto Parts Exchange (Sign over sidewalk)	Foreland Street/516-518 23	20
1378	Berberich, R. (Off-street parking)	Ray Avenue 19	1059, 1127
831	Carnegie-Mellon University (54 ⁿ Staam line)	S. Dithridge Street 4	603, 652
910	Carson Plaza Associates (Sidewalk encroachment)	East Carson Street/2117 16	646, 744
1413	Chirum, C., McCracken, D. & H. (Driveway, Off-Street Parking)	Bellaire Place 32	1086, 1171
709	Construction Tool Service (Raised Planted Area and Steps)	Liberty Avenue/3500 6	531, 594
1708	Daugherty, R. & D. (Off-street parking area)	19	1332, 1410, 1471
1376	DeCarlo, J. (Handicapped ramp)	Williams Street 19	1059, 1376
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758	Mary Beth Schwartz (Building Encroachment)	S. 19th Street 17	564, 610
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501	University of Pittsburgh (Pedestrial Bridge)	Terrace Street and Sutherland Drive 4	364, 435
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<u>BILL</u>	<u>SUBJECT</u>	<u>LOCATION</u>	<u>WARD</u>	<u>PAGE</u>
1382	Starr, D. Repealing Res. No. 650 of 1985	Bennett Street/7123	13	1060, 1123
956	Urban Redevelopment Authority			674, 807
957	Urban Redevelopment Authority			674, 807
1127	Urban Redevelopment Authority, Hill Community Development Corporation and Diversified Development, Inc.	Wylie Avenue/1801-25 and Webster Avenue/ 1847-1903	3	886, 919
1128	Urban Redevelopment Authority, Hill Community Development Corporation and Diversified Development, Inc.	Wylie Avenue/2901-15	5	886, 919
1586	Various Developers		21	1227, 1314
193	Various Redevelopers			84, 164
1231	Various Redevelopers			946, 1001
1479	Various Redevelopers			1121, 1206
1480	Various Redevelopers			1121, 1206
1898	Various Redevelopers	Various Properties		1467, 1563
644	Womanspace East, Inc.			470, 546
40	Wright, R. Amending Res. No. 1140 of 1985	Fifth Avenue/2459	4	23, 61

TRANSFERS

<u>BILL</u>	<u>SUBJECT</u>	<u>WARD</u>	<u>PAGE</u>
1428	PennDOT, Three Taxing Bodies	21	1088, 1168
1472	The Black Channel	6	1120
189	Urban Redevelopment Authority, Industrial Land Reserve Fund to the Residential Land Reserve Fund	12-13	83, 163

VACATIONS

<u>BILL</u>	<u>SUBJECT</u>	<u>WARD</u>	<u>PAGE</u>
1155	Bothwell Street	26	908, 970
1854	Brighton Road between Taylor Ave. and Sampsonia Street	22	1433, 1539, 1599
1249	Bryn Mawr Road from Ossipee Street to Herron Avenue	5	965, 998
505	Congress Street from Fifth Ave.	3	364, 435
706	Congress Street from Fifth Ave. Repealing Res. 298 of 1986	3	530, 570
1577	Congress Street from Fifth Ave.	3	1225
760	Conkling Street from Wylie Ave.	5	564, 610
504	Elwell Way from Keefe Street	31	364, 435
1373	Henderson Street and Federal Street	25	1059, 1373
864	Henderson Street and Federal Street	25	626, 680
988	Livingston Street from Adelphia Street	10	738, 864
300	Mary Street from 23rd Street to 26th Street	23-26	187
533	Monmouth Street between Nicholson Street and Taylor Allderice Athletic Field	14	411, 479
1927	Risby Avenue	19	1513
415	Sagwa Street between Lapish Road	27	257, 371

READ AND ADOPTED PRESENTED BY ALL MEMBERS

<u>BILL</u>	<u>SUBJECT</u>	<u>PAGE</u>
207	Recognizing February as Afro-American History Month	103
1758	Supporting the LTV retirees in their demands that the Federal bankruptcy court in New York City not reduce or eliminate their medical coverage, life insurance, supplemental pension benefits	1325
1759	Recommending that the Urban Redevelopment Authority joins with the Steel Valley Authority to intervene in the LTV bankruptcy proceedings with the purpose of protecting the best interests of the community	1325

READ AND ADOPTED
PRESENTED BY ALL MEMBERS

<u>BILL</u>	<u>SUBJECT</u>	<u>PAGE</u>
1760	Recommending tha the Urban Redevelopment Authority and the Department of City Planning investigate the recertification of the LTV sites as redevelopment areas	1325
1455	Supporting the ceremonies scheduled at the Veterans Administration Medical Center and joining in recognizing September 19, 1986 as National POW/MIA Recognition Day	1107
1761	Urging that work begin immediately on the Metal Retention Study to plan for reconstruction of a viable steel industry in the region with its proceedings to be open to input from community groups	1325

READ AND ADOPTED
PRESENTED BY EUGENE DEPASQUALE

1527	Congratulating John Brickley for the completion of an exemplary career as a firefighter and representative of firefighters in the City of Pittsburgh	1156
659	Honoring Henry Dulemba	456
658	Honoring James McMahon	455
1526	Proclaiming the month of October, SIDS AWARENESS MONTH in the City of Pittsburgh	1157
1491	Proclaiming the week of September 21 to September 27, 1986 as "Guy DeLuca Week"	1149
1799	Proclaiming the week of November 10-16 as "Marine Week"	1398
977	Recognizing and honoring the Opportunities Industrialization Centers of America and welcoming Leon Sullivan to the City	716
1694	Recommending that the Mayor appoint a task force to evaluate the institution of a Braun Walk System for crosswalk intersections	1267

READ AND ADOPTED
PRESENTED BY RICHARD GIVENS

461	Sarah Madigan Memorial Day/March 15, 1986	308
1887	Commending David J. Kraska on the occasion of his elevation to level of Eagle Scout for his outstanding achievements	1452

READ AND ADOPTED
PRESENTED BY RICHARD GIVENS

<u>BILL</u>	<u>SUBJECT</u>	<u>PAGE</u>
1995	Commending Edward Skinger on the occasion of his education to the level of Eagle Scout	1600
1909	Commending In Pittsburgh and writer Annemarie Draham for focusing public attention on the serious problem of infant mortality in Pittsburgh	1495
1849	Commending citizens Albert Thom, Kevin Denham, Anthony McIntyre and Richard Swartz, Police Officer Lawrence Schohn, Detective Salvatore Crisanti, and Chief Police Photographer Edward Gray	1421
1608	Commending the entire staff of the Bureau of Cable Communications in the Department of Public Works	1237
1696	Commending the people at Landmark Savings Association	1269
206	Declaring February as Heart Month	102
287	Engineer's Week/February 16-22, 1986	169
458	Expressing Gratitude to Michelle Madoff for saving life	310
1987	Extending the heartfelt respect, honor and congratulations for the remarkable history of Police and Firemen's Post 303 of the VFW on the occasion of the celebration of their 67th anniversary	1572
659	Honoring Henry Dulemba	456
658	Honoring James McMahon	455
1402	Joining with President Robert Wilburn and the entire Carnegie family in proclaiming "The Carnegie" as one of America's great cultural centers	1057
1695	Joining with the students and faculty of Thaddeus Stevens School in extending our commendations to Janet Fingers for dedication, devotion, and service	1316
978	Recognizing the dedication of the scout leaders and residents, and look with pride on the Boy Scouts in promoting the goals of the Pittsburgh Clean City Committee	669
232	Recognizing veterans admitted to the Veterans Administration Medical Centers	131
1763	Requesting that the Pennsylvania Liquor Control Board refrain from issuing a retail beer sales license for the Giant Eagle Markets, Inc. until a public hearing has been scheduled	1328
1458	Saluting the organizers of the Johnstown Vietnam Veterans	1108
288	Urging Interior Secretary Donald P. Hodel to reappoint Lee Iacocca to the Federal Advisory Commission	171

READ AND ADOPTED
PRESENTED BY RICHARD GIVENS

<u>BILL</u>	<u>SUBJECT</u>	<u>PAGE</u>
1401	Urging local, county, state, and federal officials to combine and consolidate their efforts into the creation of a regional task force to coordinate regulation, enforcement, and programmatic solutions to the effects of drugs in our area	1068
1977	Urging the General Assembly and the Governor-elect to join together and support the enactment of the Commonwealth Municipal Revenue-Sharing Act	1541
1764	Urging the bankruptcy court in New York City to protect the vital retirement pensions, benefits, and insurance coverage of the LTV retirees; and urging the URA and City Planning Dept. to investigate the recertification of the LTV sites as redevelopment area so that the land use can be redeveloped with maximum public and community input	1326

READ AND ADOPTED
PRESENTED BY STEPHEN S. GRABOWSKI

459	Congratulating Chief Sponsor Ivan Itkin and endorsing the objective of House Bill No. 1792 Endorsing House Bill 1792;	459
1528	Congratulating Chief Sponsor Ivan Itkin	
1006	Congratulating the pastor and parishioners of Guardian Angels Church on their 75th Anniversary	1177
494	Expressing interest in the proposal initiated by Nitro Development for building of a Marina/Restaurant Complex	779
698	Requesting the Pennsylvania Department of Environmental Resources seriously reconsider this novel concept of group Mine Subsidence Insurance	356
1244	Proclaiming April 20-26, 1986 as PNA Bowling Week	524
1762	Paying tribute to the contribution of Polish-Americans and joining in the joyous celebration of the Fifty-Fifth Anniversary of Polish Day at Kennywood Park	956
660	Proclaiming Sunday, November 9, 1986, as Polishfest Day in the City of Pittsburgh	1354
	Recommending Administration use full force of its public relations capability to solicit donations, inform citizens of availability of fund, and urge residents to purchase mine subsidence insurance	458

READ AND ADOPTED
PRESENTED BY MICHELLE MADOFF

<u>BILL</u>	<u>SUBJECT</u>	<u>PAGE</u>
1186	Appropriate additional funds for the Department of Environmental Services in the 1987 Budget for garbage pickup on official holidays	922
1910	Commending the Coalition for District Elections for their tireless efforts toward the passage of Senate Bill 1145	1498
1560	Commending the YWCA/Y*NET upon its contributions to our City and proclaiming October 10-17, 1986 "YWCA Career Strategies Week"	1192
824	Congratulating Dr. Samuel Hazo for his outstanding cultural contributions	583
1054	Congratulating and commending Lou Gaetano	790
1456	Designating September as "Adult Literacy Awareness Month" in Pittsburgh and commending WQED and WTAE for their sponsorship of the PLUS Program	1082
1765	Extending congratulations to the people of St. James A.M.E. Church	1324
1144	Help correct the problem of low morale in the Police Department by awarding officers who have been moved laterally at a loss of pay, a merit award to recognize their outstanding, long-time service	895
1492	Joining in celebrating the 200th Anniversary of the "Post Gazette"	1148
932	Petitioning General Assembly of the Commonwealth of Pennsylvania to amend PA. Workmen's Compensation Act and the PA. Occupational Disease Act to include the presently excluded elected officials of the Commonwealth or any of its political subdivisions	658
931	Recognizing and honoring Mr. J. Thomas Bruecken	665
335	Recognizing representatives from the Downtown garages and the Mayor's Task Force on Women/Giant Step Award	184
1145	Recognizing that the completion of work on McArdle Roadway must be undertaken immediately in its entirety to insure safe access to and from Mount Washington	899
233	Recognizing the seven astronauts	133
825	Recognizing the successful and historic conference sponsored by the Coalition of Black Trade Unionists to raise public awareness of the black worker in the labor movement	597
660	Recommending Administration use full force of its public relations capability to solicit donations, inform citizens of availability of fund, and urge residents to purchase mine subsidence insurance	458

READ AND ADOPTED
PRESENTED BY MICHELLE MADOFF

<u>BILL</u>	<u>SUBJECT</u>	<u>PAGE</u>
1403	Requesting that the administration conduct pre-hearings for the benefit of the Council prior to regularly scheduled public hearings open to public and media	1071
234	Supporting Speaker Irvis' position that State Income tax cuts of 38¢ per person or a massive reordering of State budget priorities	133
1245	Thanking the members of the Pittsburgh Aviary's Volunteer Interpretive Program	937

READ AND ADOPTED
PRESENTED BY SOPHIE MASLOFF

1755	Commending KDKA-TV's tremendous charitable effort in raising more than \$1 million to provide over 100,000 Thanksgiving turkeys	1322
1527	Congratulating John Brickley for the completion of an exemplary career as a firefighter and representative of firefighters in the City of Pittsburgh	1156
610	Congratulating the 1935 graduates of Taylor Allderdice High School	424
1281	Congratulating the Ozanam Cultural Center's Director, Carl Kohlman	1031
460	Employ the Older Worker Week/March 9-15, 1986	255
2	Honoring and commemorating Reverend Martin Luther King, Jr. January 20th, 1986 as a day of observance	26
1280	Joining the Hill District Civic Association, the Black Solidarity Fair Committee, Total Youth Services, Inc. and People in Hill District in celebration of "Community Days" on August 30-31, 1986	1029
700	Requesting Men's Long Distance Running Committee of the Athletics Congress select Pittsburgh as the site of the 1988 Men's Olympic Marathon Trails and the Committee be invited to witness our 1986 Marathon	524
1561	Urging Party leader Mikhail Gorbachev to demonstrate easing of friction between our two nations by issuing emigration visas to the thousands who have applied to, in particular, leave, to Soviet Jewish Prisoners of Conscience	1193
749	Urging the Senate of Pennsylvania to pass Bill 1625 to protect amateur sports programs throughout the Commonwealth of Pennsylvania	550
699	Victim Rights Week/April 20-26, 1986	499

READ AND ADOPTED
PRESENTED BY SOPHIE MASLOFF

<u>BILL</u>	<u>SUBJECT</u>	<u>PAGE</u>
1083	Welcoming Craig Badami of Park City, Utah to Pittsburgh and commending him for his work with the Special Ski Olympics	842
785	Working Women's Awareness Week/May 4-10, 1986	573

READ AND ADOPTED
PRESENTED BY JIM O'MALLEY

461	Sarah Madigan Memorial Day/March 15, 1986	308
1697	Commending the unending community resolve and dedication of the Variety Club, Tent #1	1271
576	Opposing the Reagan Administration's deferrals, rescissions and budget cuts for housing and community	421
700	Requesting Men's Long Distance Running Committee of the Athletics Congress select Pittsburgh as the site of the 1988 Men's Olympic Marathon Trails and the Committee be invited to witness our 1986 Marathon	524
611	Thanking Robert Coll for his service	424
1084	Urging the Administration to add the words "Most Liveable City in America" on all letterhead stationery	843

READ AND ADOPTED
PRESENTED BY MARK POLLOCK

1268	Calling upon President Reagan to immediately join the Soviets in a mutual and verifiable halt of all nuclear testing as a first step towards freezing and reversing the nuclear arms race	980
1647	Commending the Brashear Association	1243
1529	Congratulating "Free Afghanistan" and Dr. Timothy Janeway and other members of the Shadyside Hospital staff for their worthy undertaking and hope for the recovery of a courageous man, Hazrat Khan	1155
612	Congratulating Mary Lou Daniel and John DeSantis	426
1493	Congratulating the Jewish Chronicle of Pittsburgh and proclaiming September 28, 1986 to be "Jewish Chronicle 25th Anniversary Day	1150
1247	Congratulating the Pittsburgh Chapter of the American Technion Society and Dr. Thomas Starzl and thanking them for naming the Transplant Center after our City	957

READ AND ADOPTED
PRESENTED BY MARK POLLOCK

<u>BILL</u>	<u>SUBJECT</u>	<u>PAGE</u>
1609	Congratulating the Visiting Nurses Association and the Brashear Stroke Rehabilitation and Education Groups on their 25th Anniversary and commend them on the worthy and beneficial work they perform; and proclaiming October 16, 1986 to be "Brashear Stroke Rehabilitation and Education Groups Day"	1220
1562	Declaring Wednesday, October 8, 1986 as Pitt Divestment Day in the City of Pittsburgh and Urging the Board of Trustees of the University of Pittsburgh to pass the divestment resolution now before them	1194
980	Endorsing Pennsylvania House Bill 1731 with the only amendment being that the voters be given option of approving the present system	717
1283	Expressing support for "The Pirates and Pittsburgh's Neighborhoods...Just Like the Good Ole' Days" and urging all baseball and softball players and families	1032
406	March for Women's Lives Week/March 9-16, 1986	242
1187	Mourning the loss of Peter Dimperio	905
751	Recognizing Mary Pat Flaherty, Andrew Schneider, and the Pittsburgh Press	554
979	Recognizing Randy Zotter	667
1146	Requesting that the Department of Energy and GPU Nuclear Corporation redirect the route of said radioactive material so that it does not go through the major metropolitan area of Pittsburgh	894
1246	Requesting that the Postmaster re-examine the decision to close and not relocate the post office in Two Mellon Bank Center	958
1248	Requesting the that the Board of Education re-examine its decision to eliminate busing for elementary school students who reside within 1.5 miles of their school	959
1561	Urging Party leader Mikhail Gorbachev to demonstrate easing of friction between our two nations by issuing emigration visas to the thousands who have applied to, in particular, leave, to Soviet Jewish Prisoners of Conscience	1193
750	Proclaiming the month of May as "Bayer USA Month"	551

READ AND ADOPTED
PRESENTED BY JACK WAGNER

<u>BILL</u>	<u>SUBJECT</u>	<u>PAGE</u>
461	Sarah Madigan Memorial Day/March 15, 1986	308
1269	Calling upon all of the citizens of Pgh. to join Neighborhood Centers Association, Communities Organized for Public Safety, Community Crime Prevention Coalition and the National Town Watch Association in supporting and participating in National Night Out on August 12, 1986	977
1610	Commending All Members of the Community Crime Prevention Coalition for their concern and activities in alerting citizens to the growing menace and cost of crime	1220
1270	Commending Allegheny County Firefighters Association, Pgh. Bureau of Fire, West Penn Hospital, Cameron Coca-Cola, Alcoa and proclaiming August "Aluminum Cans for Burned Children Month"	985
612	Congratulating Mary Lou Daniel and John DeSantis	426
933	Congratulating and commending Officer John Hilson	643
1369	Declaring September 2, 3, and 4, 1986 as "Sharing and Caring Days"	1053
1533	Declaring a moratorium on the hiring of individuals from out-of-state to fill vacancies within the City of Pittsburgh work force and to give highest priority to the many qualified competent individuals that presently reside in the City of Pittsburgh	1180
1531	Declaring the week of October 5-11, 1986 as "Fire Prevention Week"	1178
336	Honoring Fred G. Gualtieri	182
662	National Building Safety Week/April 13-19	460
661	Petitioning the Legislature to Amend Section 4107-Include that No person shall drive a vehicle on any highway in violation of any provision of a federal statute or regulation relating to any type of equipment or documents used in the vehicle while engaged in interstate commerce. Penalty-Fine of \$100.00	463
1799	Proclaiming the week of November 10-16 as "Marine Week"	1398
1563	Proclaiming the week of October 5-11, 1986 as "Employ the Handicapped Week"	1196
125	Recognizing Joe Natoli	44
124	Recognizing the Homicide Section of Police Investigations	43
1530	Recognizing the past and present service to our city by the Reverend, Doctor Clifton Ruggs and congratulating The Saint Luke Baptist Church and the Ruggs family	1154
613	Recommending a minimum of five fueling stations be established so emergency vehicles will remain available to public	440

READ AND ADOPTED
PRESENTED BY JACK WAGNER

<u>BILL</u>	<u>SUBJECT</u>	<u>PAGE</u>
1494	Requesting that the Federal Emergency Management Agency discontinue any plans to build bomb shelters for protection of public officials and redirect these monies to more vital local uses	1150
1	Respect Life Week/January 17-24, 1986	27
1911	Saluting all officers and members of the North Side Public Safety Council for their efforts to make North Side a safer community to live, work and raise a family.	1499
1532	Tributing the outstanding lifesaving work performed by Pittsburgh's EMS team, a national leader in the delivery of Emergency Medical Services	1179
786	Urging Pittsburgh Marathon, Inc. to change the starting time of the Pittsburgh Marathon from 10:30 A.M. to 8:00 A.M.	574
1912	Urging that the immediate focus of the METAL RETENTION STUDY be on the restart of the electric furnaces of LTV South Side	1499
1404	Urging the Congressional delegation from the Pittsburgh area to support two amendments	1070
1988	Urging the Pgh. School Board to exercise fiscal restraint and operate within their budget without the proposed six-mill tax increase on property within the City	1573
1756	Urging the citizens of Pittsburgh to clearly display their street number on all existing structures and urging the Dept. of Public Safety to enforce Section 302.1.1 of the BOCA Existing Structures Code	1355
1282	Welcoming guests, members, and friends of the Salvation Army and thanking them for their constant care of needy Pittsburghers	1031

READ AND ADOPTED
PRESENTED BY BEN WOODS

461	Sarah Madigan Memorial Day/March 15, 1986	308
1007	Applauding Housing Authority for renaming the Addison Terrace High-Rise in honor of Louis Mason	777
1008	Commending Frank Pastorkovic for services to the Croatian National Hall	778
1085	Commending Joe Moses and Lou Gaetano and their respective Public Works Departments for outstanding response to the local flood disaster	843

READ AND ADOPTED
PRESENTED BY BEN WOODS

<u>BILL</u>	<u>SUBJECT</u>	<u>PAGE</u>
1284	Commending Paul Stackhouse and urging citizens to respectfully observe the United Labor Day Parade on September 1, 1986	1034
1495	Commending the Officers and members of the Allegheny County Labor Council	1117
1054	Congratulating and commending Lou Gaetano	790
1052	Congratulating and commending Nicholas Sansotta	791
1457	Declaring September 15-20 as Hispanic Heritage Week	1107
1757	Joining with the Champions Association as the honor local community leaders and sports figures who have distinguished themselves with their person achievements	1354
1888	Proclaiming December 2, 1986 as "Mario Lemieux Day"	1449
1800	Proclaiming the week of November 10-16, 1986 as "Mathcounts Week"	1400
1368	Proclaiming the week of September 1-6, 1986, as Union Label Week in the City of Pgh. to honor those distinguished emblems of America's working men and women	1050
1110	Recognizing July 12, 1986 as "National POW/MIA Recognition Day"	872
462	Recognizing Mrs. Ethel Parker	313
1459	Recognizing the invaluable assistance provided Pittsburgh's 17,500 Hispanic Americans by the Hispanic Forum of Pennsylvania, Inc.	1084
495	Urging the Senate to schedule a public hearing on the merits of Bill No. 1211	358
1083	Welcoming Craig Badami of Park City, Utah to Pittsburgh and commending him for his work with the Special Ski Olympics	842
1053	Welcoming teenagers Bernadette Gillian Iturbe and Michael Andrew Hooker	787
785	Working Women's Awareness Week/May 4-10, 1986	573

TRANSFERS

<u>BILL</u>	<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>	<u>PAGE</u>
77	\$200,000.00	Code Account 1838-Miscellaneous Services	Special Parks Prog. Trust Fund-SPPTF	33, 92
78	\$293,000.00	Code Account 1843-Senior Citizens Program	Senior Citizens Prog. Trust Fund-SCPTF	33, 92
173	\$280,837.00	Code Account URAP500-Urban Redevelopment Authority Project 500	Code Account PZCDI-Pgh. Zoo Capital Development and Improvement	81, 155

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<u>BILL</u>	<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>	<u>PAGE</u>
250	\$1,000.00	Code Account 1838 Miscellaneous Services	Code Account RODTF Recreation Organization and Development Trust Fund	145, 230
251	\$25,000.00	Code Account 41 Refunds Real Estate Tax Department of Finance	Code Account RODTF Recreation Organization and Development Trust Fund Department of Parks and Recreation	146, 230
304	\$15,000.00	Code Account 41 Refunds Real Estate Tax	Employer's Travel Expense Advance Trust Fund	188, 232
469	\$9,923.00	Trust Fund Account Pittsburgh Zoo Capital Development and Improvement	Trust Fund Account Friends of the New Zoo	316, 418
592	\$2,275.00	JTPA-2 Trust Fund	General Fund	431, 507
689	\$27,800.00	Code Account 10 Accounts Payable Prior Years (SPONSORED BY MR. WOODS)	Code Account 1103 Miscellaneous Services and Code Account 1838, Misc. Services	504, 569
774	\$35,000.00	Code Account 41 Refunds Real Estate Taxes	MSP (Main Street Program Trust Fund	566, 608
833	\$1,412,250	Code Account 1457-9, Worker's Compensation, Police Bureau; and	Code Account 1402-9, Worker's Compensation, Administration Bureau	
	\$1,695,000	Code Account 1470-9, Workers Compensation, Fire Bureau, Department of Public Safety		603, 632
866	\$300,000.00	Code Account 1144 Gasoline and Diesel Oil	Code Account 1150, Outside Repairs Cont.	
	\$300,000.00	Code Account 1144, Gasoline and Diesel Oil	Code Account 1132-2, Telephone Services and Equipment	626, 676

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<u>BILL</u>	<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>	<u>PAGE</u>
940	\$460,000.00	Code Account 41, Refunds Real Estate Tax, Dept. of Finance	Code Account Special Parks Prog.Trust Fund- \$70,000.00 Code Account Special Summer Food Serv. Program-\$390,000.00 Department of Parks and Recreation	671, 799
987	\$15,000.00	Code Account 1611-1, Utilities	Code Account 1502, Misc. Services	738, 803
934	\$50,000.00	Code Account 41 Refunds Real Estate Taxes	Code Account 1401, Misc. Services	743
1063	\$372,000.00	Code Account 1922, Miscellaneous Services, Department of Water	Code Account 1154-1, Rental of Motorized Equip. Department of General Services	829, 889, 913
1114	\$75,411.00	Code Account FNZ Friends of the New Zoo Trust Fund	Code Account PZCDI, Pittsburgh Zoo Capital Development and Improve. Trust Fund	
	\$40,000.00	Code Account PZMTF Pittsburgh Zoo Membership Trust Fund		884, 913
1117	\$25,000.00	Code Account 1043, Miscellaneous Services	Code Account 1042-1, Premium Pay	884, 949
1170	\$2,729.00	Code Account 1103, Miscellaneous Services Department of City Planning	Code Account 1104, Supplies Department of City Planning	911, 969
1204	\$20,000.00	Code Account 1850, Salaries, Pittsburgh Zoo	Code Account 1851-1, Premium Pay, Pittsburgh Zoo	942, 996
1205	\$12,000.00	Code Account 1857, Animal Provisions	Code Account 1852, Misc. Services	942, 996
1233	\$40,000.00	Code Account 41, Refunds, Real Estate Tax, Department of Finance	Code Account 1452-2, Legal defense Contribution Fund Department of Public Safety	947, 997
1306	\$35,000.00	Code Account 1970, Salaries and Wages	Code Account 1971, Premium Pay	1040, 1062
1314	\$175,000.00	Special Parks Program Trust Fund	Code Account 1803, Utilities	1042, 1095

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<u>BILL</u>	<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>	<u>PAGE</u>
1315	\$1,500.00	Code Account No. 46, Judgments	Code Account 1074-1, Premium Pay	1042
1379	\$100,000.00	Code Account No. 1133, Salaries & Wages	Code Account No. 1126-1, Premium Pay	1059, 1123
1379	\$100,000.00	Code Account 1144 Gasoline & Diesel Oil	Code Account 1150 Outside Repairs	1059
1381	\$25,000.00	Code Account 1043, Miscellaneous Services	Code Account 1044, Supplies	1060, 1123
1409	\$2,500.00	Code Account 1633, Materials	Code Account 1631, Miscellaneous Services	
	\$3,500.00	Code Account 1632, Supplies	Code Account 1635, Equipment	1085, 1125
1410	\$120,000.00	Code Account 1608, Salaries and Wages, Regular Employees	Code Account 1501, Premium Pay,	1085, 1125
1423	\$6,000.00	Code Account No. 1022, Salaries, Regular Employees	Code Account No. 1022, Premium Pay	1087, 1125
1425	\$18,000.00	Code Account No. 1060, Salaries, Regular Employees	Code Account No. 1061 Salaries, Temporary Employees	
	\$10,000.00	Code Account No. 1060, Salaries, Regular Employees	Code Account No. 1061-1 Premium Pay	1088, 1168
1462	\$5,000.00	Code Account No. 1484, Supplies	Code Account 1482, Misc. Services	1118, 1201
1471	\$35,000.00	Code Account No. 1063, Miscellaneous Services	Code Account No. 1066, Equipment	1120, 1203
1484	\$220,000.00	Code Account 41 Refunds Real Estate Tax, Department of Finance	Code Account 1443-7, Police Longevity Department of Public Public Safety	1122, 1204
1506	\$1,300.00	Code Account 1646, Repairs	Code Account 1644, Supplies	1162, 1205
1542	\$27,088.00	Code Account 41, Real Estate Refunds	Retirees Pension Fund Trust Fund	1199, 1251
1548	\$30,000.00	Code Account 41 Refunds Real Estate Tax, Dept. of Finance	Code Account 1443-6, Police Ingrade Pay Department of Public Safety	1200, 1252

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<u>BILL</u>	<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>	<u>PAGE</u>
1575	\$947.00	Code Account RPPP, Residential Parking Permit Prog. Trust Fund	Code Account NCDRPPP, Residential Parking Permit Prog. Trust Fund	1225, 1306
1590	\$50,000.00	Code Account 1043, Miscellaneous Service	Code Account 1044, Supplies	1228, 1252
1625	\$802,300.00	Code Account 44 Worker's Compensation;	Various Departmental Workers Compensation Code Accounts	
	\$150,000.00	Code Account 1402-9, Dept. of Public Safety Administration Worker's Compensation;		
	\$320,000.00	Code Account 41, Real Estate Tax Refunds		1247, 1311
1633	\$7,000.00	Code Account 1920, Salaries	Code Account 1921 Premium Pay	1248, 1343
1634	\$35,000.00	Code Account 1981, Premium Pay, Distribution Division	Code Account 1983, Supplies 7,000.00; and Code Account No. 1986, Materials-	1248, 1343
1678	\$5,000.00	Code Account 1100, Miscellaneous Services	Code Account No. 1101 Supplies	1278, 1383
1683	\$100,000.00	Code Account 1977, Utilities, Department of Water	Code Account 1926, Municipal Obligations for Non-City Water Agencies	1278, 1344
1705	\$15,000.00	Code Account 1612-1, Repairs	Code Account 1610 Misc. Services	
	\$10,000.00	Code Account 1611-1, Utilities	Code Account 1502, Misc.	1332, 1383
1722	\$460,000.00	Various Code Accounts	Code Account 1132-2 Telephone Services and Equipment	1334, 1407
1727	\$75,000.00	Code Account PR 86-02	Code Account AR Asphalt Reimbursement	1335, 1408
1728	\$17,185.37	PR86-02, Resurfacing of Park Roads	Project PR86-04, Play Equipment	1335, 1408
1769	\$130,720.00	Code Account CC Community Communications T.F.	General Fund	1378, 1438

TRANSFERS

<u>BILL</u>	<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>	<u>PAGE</u>
1812	\$105,000.00	Code Account 46, Judgments	Code Account 1080, Consumer Protection and Anti-Trust Proceedings	1403, 1469
1856	\$73,525.51	1983 Community Development Block Grant Program	General Fund	1434, 1470
1857	\$611,528.87	1985 C.D.B.G.P. Trust Fund, Department of City Planning, CD Planning Program Salaries and Indirect Cost Reimbursement, Code Account CDCPS	General Fund	1434, 1470
1860	\$400,000.00	1986 CDBG Trust Fund, Code Account CDPR, Housing Authority Recreation Salaries	General Fund	1434, 1470
1866	\$10,000.00	Code Account 1022, Salaries Regular Employees	Code Account 1022-1 Premium Pay	1435, 1470 1436, 1470
1870	\$237,000.00	JTPA-1 Trust Fund	General Fund	1436, 1470
1902	\$100,000.00	Code Account 41 Refunds Real Estate Tax, Dept. of Finance	Code Account 1461-1 Premium Pay, Dept. of Public Safety	1468, 1538
1935	\$17,185.37	Capital Budget Project PR86-02	Project PR86-04	1514, 1568
1961	\$70,000.00	Code Account 1977, Utilities	Code Account 1978, Chemicals	1518, 1560
1962	\$10,000.00	Code Account 1922, Miscellaneous Services	Code Account 1974, Repairs	1518, 1560

WARRANTS

<u>BILL</u>	<u>SUBJECT</u>	<u>AMOUNT</u>	<u>PAGE</u>
1570	A & B Smith Company	\$4,139.53	1224, 1305
625	ABCO Fire Protection, Inc.	\$627.73	467, 537
292	Able Hess	\$52,329.00	186, 272
1536	Ace Demolition, Inc.	\$23,100.00	1198, 1250, 1311
735	Air & Power Service Company	\$362.40	535, 607
195	Air Tool Maintenance Company, Inc.		84, 156
384	Air-O-Lator Corporation	\$353.51	226, 320

WARRANTS

<u>BILL</u>	<u>SUBJECT</u>	<u>AMOUNT</u>	<u>PAGE</u>
1677	Allegheny Business Machines, Inc.	\$1,250.00	1277, 1382
1877	Allegheny County Sanitary Authority	\$5,400.00	1437, 1537
941	Allegheny County Sanitary Authority	\$1,800.00	672, 800
528	Allison Park Landscape	\$1,075.91	410, 471
1313	American Association of Zoological Parks and Aquariums (AAZPA)	\$1,657.87	1042, 1095
1310	American Contractors Equipment Co.	\$1,495.00	1041, 1094
468	American Red Cross	\$521.75	316, 417
1952	American Rent A Ride, Inc.	\$1,123.26	1517, 1557
1537	Anderson Equipment Company	\$10,265.00	1198, 1251
161	Apex Association	\$15,084.00	79, 151
1135	Arnold Corporation	\$612.58	888, 950
707	Astec Industries, Inc.	\$2,599.00	530, 590
1203	Authorized Factory Service, Inc.	\$604.00	942, 995
374	Automatic Sprinkler Corporation	\$2,995.00	225, 319
467	Beaver Valley Builders Supply, Inc.	\$511.60	316, 417
1091	Bee-Kim Co., Inc.	\$3,667.66	860, 913
1216	Belashek, J. & D.	\$1,735.00	944, 996
1023	Bell of Pennsylvania	\$781.00	795, 863
1024	Bell of Pennsylvania	\$933.00	795, 863
1311	Bellbird, Inc.	\$1,650.00	1042, 1095
1946	Black, W.	\$1,510.61	1516, 1556
1162	Bloomer, E.	\$949.79	910, 968
885	Brandi Custom Services	\$455.00	629, 679
1626	Businessland	\$3,284.36	1247, 1341
767	C. Lindquist Associates	\$788.90	565, 593
577	Carl Bonidie, Inc.	\$4,877.10	428, 504
1010	Carl Bonidie, Inc.	\$425.00	793, 862
542	Carnegie Library of Pittsburgh	\$896.45	412, 473
1734	Carnegie Mellon University	\$13,272.00	1336, 1408
1390	Casciato Brothers	\$11,500.00	1061, 1164
126	Casciato Brothers Contractors	\$7,500.00	49, 119
172	Charles Stang		
	Crystal Pony Farm	\$560.00	81, 155
474	Cherry, G.	\$815.52	317, 418
880	Chigier, J.	\$994.58	628, 678
169	Clairton Slag, Inc.	\$2,172.04	80, 155
986	Clarence Lutch & Son, Inc.	\$523,433.00	738, 833
1811	Clark, G. & A.	\$7,000.00	1403, 1469
1900	Commonwealth of Pennsylvania	\$35,299.00	1468, 1546

WARRANTS

<u>BILL</u>	<u>SUBJECT</u>	<u>AMOUNT</u>	<u>PAGE</u>
392	Commonwealth of Pennsylvania	\$3,246.61	228, 320
393	Commonwealth of Pennsylvania	\$1,551.74	228, 321
1876	Commonwealth of Pennsylvania		
	Dept. of Environmental Resources	\$1,400.00	1437, 1537
1424	Computer Centers of America and		
	Texwipe Company	\$5,482.16	1087, 1167
1370	Conn Construction Company	\$2,460.00	1058, 1123
1569	Conn Construction Company	\$10,863.39	1224, 1305
1699	Conn Construction Company	\$1,434.14	1331, 1407
1914	Conn Construction Company	\$26,260.00	1511, 1547
66	Conn Construction Company	\$57,195.82	31, 90
579	Conn Construction Company	\$22,144.50	429, 505
1056	Conn Construction Company	\$37,205.64	828, 889
7	Consolidated Rail Corporation	\$3,827.55	18, 54
1112	Consultant(s)	\$30,000.00	883
1147	Criscella Construction Company	\$513.00	907, 967
527	Criscella Construction Company	\$4,957.00	410, 471
1766	Criscella Construction Company	\$9,700.00	1377, 1438
67	Crown Wrecking Company, Inc.	\$33,875.00	31, 90
1146	DePasquale Brothers	\$1,121.00	907, 967
407	DePasquale, M.	\$5,110.00	256, 367
235	Dick Corporation	\$18,250.00	143, 229
1287	Dick Enterprises	\$1,396.11	1038, 1092
1061	Digital Paging Systems	\$11,615.88	829, 889
1421	Donald R. Frey and Company	\$1,955.00	1087, 1167
717	Drummond, S. & M.	\$3,000.00	532, 591
1868	Duquesne Light Company	\$968.05	1436, 1534
832	Duquesne University	\$40,000.00	603, 648
276	Eastman Kodak Company	\$278.70	149, 231
812	Eczel	\$324.56	589, 632
914	Educational Institution(s)		
	Repealing Res. 274 of 1986	\$3,000.00	646
1767	F.A. Beto, Inc.	\$1,287.55	1378, 1438
985	F.A. Beto, Inc.	\$10,672.00	738, 833
209	Facchiano Construction Company	\$26,201.20	115, 192
913	Fibus, Sam and Betty	\$12,256.50	646, 743
562	First Response, Inc.	\$1,233.00	416, 476
540	Fleming Gray Limited	\$879.30	412, 472
1861	Flying Tiger Line, Inc.	\$689.14	1435, 1534
1308	Fort Pitt Fence	\$1,175.00	1041, 1094
1405	Frank Dee Company	\$864.00	1084, 1166
170	Gage Company	\$521.50	80, 155
1054	Gamefield	\$1,640.00	827, 888

WARRANTS

<u>BILL</u>	<u>SUBJECT</u>	<u>AMOUNT</u>	<u>PAGE</u>
1286	Gannett Fleming Transportation Engineers, Inc.	\$34,324.42	1037, 1092
476	Geico Corporation and Automatic Data Processing, Inc.	\$982.79	317, 418
1612	General Roofing Company	\$7,348.60	1244, 1338
1675	Gondelman Baxter McVerry Smith Yatch and Trimm	\$4,736.07	1277, 1382
588	Gondelman Baxter McVerry Smith Yatch & Trimm	\$9,750.00	430, 506
1953	Greater Pittsburgh Chamber of Commerce	\$1,000.00	1517, 1557
1288	Green International, Inc.	\$4,763.25	1038, 1093
1950	Hanson, R. & S.	\$1,042.50	1517, 1557
1116	Hawk, J.	\$1,506.61	884, 949
27	Helfmann, T.	\$6,000.00	21, 27
1312	Hendee Zoological Co.	\$1,650.00	1042, 1095
541	Hendee Zoological Company	\$545.00	412, 472
248	Herbert K. Barnett Photography	\$380.00	145, 230
1307	Hollywood Music & Sound Company	\$16,567.00	1041, 1094
587	IBM Corporation	\$4,903.00	430, 506
216	Industrial Rubber Products Company	\$310.00	117, 192
566	Insulfoams, Inc.	\$4,990.00	416, 477
1356	International Business Machines Corporation	\$2,118.00	1048, 1100
1741	International Business Machines Corporation	\$2,118.00	1337, 1410
847	International Business Machines Corporation	\$2,118.00	606, 650
151	International Business Machines Corporation	\$1,986.00	53, 151
1627	Isherwood, G.	\$25,000.00	1247, 1342
241	J-Jac Construction Company	\$3,000.00	144, 229
813	James Karis, Inc.	\$34,440.00	589, 632
814	James Karis, Inc.	\$6,000.00	589, 632
1512	James L. Smith Agency	\$1,500.00	1163, 1231
1863	James L. Smith Insurance Agency	\$4,500.00	1435, 1534
778	James L. Smith Insurance Agency	\$1,211.00	567, 608
473	James L. Smith Insurance Agency	\$10,261.00	317, 418
29	John G. Beck Insurance Agency	\$26,370.00	22, 56
1862	Jungle Enterprises, Inc.	\$1,320.00	1435

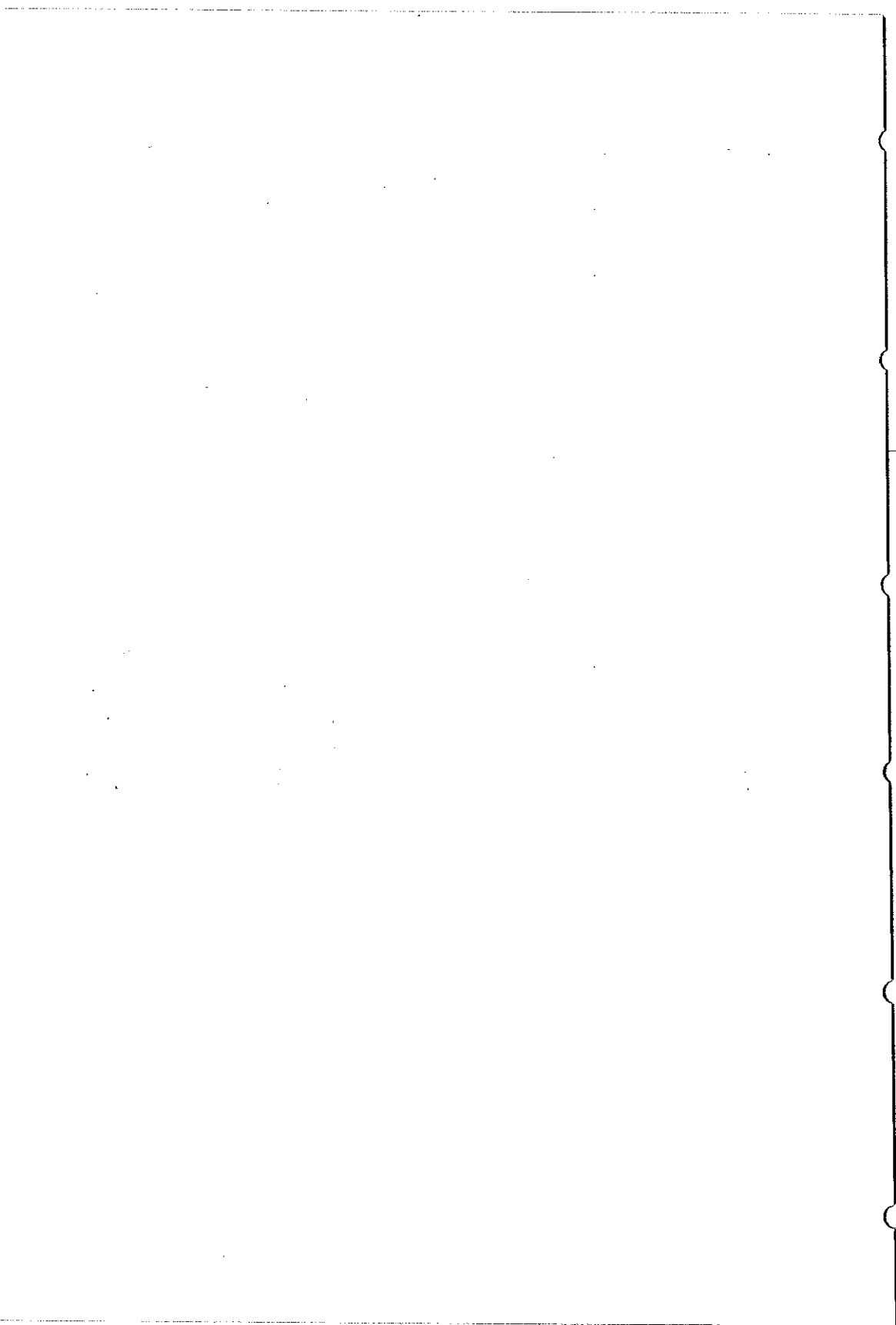
WARRANTS

<u>BILL</u>	<u>SUBJECT</u>	<u>AMOUNT</u>	<u>PAGE</u>
991	Karabasz, A.	\$10,000.00	739, 833
1420	Kesten and Egerman	\$782.00	1087, 1167
1951	King, K.	\$1,500.00	1517, 1557
1949	Koch, G.	\$7,000.00	1516, 1557
565	Lafayette, Indiana	\$329.28	416, 476
247	Lewis Brothers and Sons, Inc.	\$6,299.30	145, 229
789	Louis J. Viglione, Inc.	\$17,967.00	585, 631
325	Louis Tambellini's Restaurant	\$502.75	191, 274
677	Lyden, M.	\$16,000.00	502, 569
1309	Machinery Rental Corporation	\$1,800.00	1041, 1094
768	Madoff, M.	\$15,000.00	565, 1384
1899	Meskunas, E.	\$1,480.88	1467, 1546
1357	Metzler, M.	\$875.00	1048, 1100
507	Metro Equipment Repair Company	\$994.50	365, 434
1014	Metz & Lautner Plumbing	\$1,607.21	793, 863
614	Metz and Lautner	\$5,527.01	465, 536
28	Microfilm Processing Lab		21, 56
1055	Middle States Construction Company	\$111,772.71	827, 889
1915	Middle States Construction Company	\$28,575.00	1511, 1547
1316	Moeslein, Michael & Mary	\$1,500.00	1042, 1096
766	Monheim, M.		
	(SPONSORED BY MICHELLE MADOFF)	\$2,500.00	565, 607
620	Motorola Communications and Electronics, Inc.	\$11,475.00	466, 537
421	Mullen, J.	\$1,090.50	258, 369
1045	NBI, Inc.	\$5,010.00	799, 864
754	NICET	\$1,850.00	563, 607
1461	NICET	\$1,500.00	1118, 1201
564	National Academy of Criminal Justice	\$295.00	416, 476
1086	National Training Corporation	\$10,009.65	859, 912
391	Nationwide Advertising Service, Inc.	\$20,364.54	227, 320
291	Nicholson Construction Company	\$35,368.50	186, 272
408	Nicholson Construction Company	\$100,638.00	256, 369
1289	Nicholson Construction Company	\$4,635.65	1038, 1094
666	Nicholson Construction Company	\$6,814.50	500, 567
1499	Nicholson Construction Company	\$51,289.29	1160, 1230
1500	Nicholson Construction Company	\$23,579.00	1161, 1231
1535	Nicholson Construction Company	\$1,650.00	1198, 1250
1778	Nieder, E. & J.	\$1,000.00	1380, 1439
6	Noralco Corporation	\$37,959.04	18, 54
1088	Norwood, Inc.	\$6,999.62	859, 912

WARRANTS

<u>BILL</u>	<u>SUBJECT</u>	<u>AMOUNT</u>	<u>PAGE</u>
865	P & B Wholesale Supply	\$5,188.00	626, 676
912	Page-Lambert Enterprises, Inc.	\$3,025.60	646, 742
752	Patsy Catanzaro Construction	\$145.14	563, 607
563	Penetone Corporation	\$363.00	416, 476
76	Pennsylvania State University	\$494.50	32, 92
508	Perkin-Elmer Corporation	\$558.00	365, 434
1632	Perkin-Elmer Corporation	\$780.00	1248, 1343
422	Piela, E.	\$1,950.00	258, 370
383	Pittsburgh Associates	\$336.48	226, 320
1947	Port Authority of Allegheny County	\$77,098.31	1516, 1556
1498	Pugliano Construction Company	\$1,962.00	1160, 1230
983	Pugliano Construction Company	\$15,356.00	738, 832
578	Pugliano Construction Company	\$355.00	429, 505
290	R. & W. Electric Company	\$960.00	186, 272
1867	Redondo, J. & R.	\$1,447.50	1436, 1534
1665	Richard D. Owens Transportation Services, Inc.	\$3,007.52	1276, 1382
1417	Roth Cash Register Co., Inc.	\$1,611.00	1086, 1167
1418	Roth Cash Register Co., Inc.	\$805.50	1087, 1167
1519	Rovitto Demolition	\$5,900.00	1164, 1233
1419	Sal Reck Equipment Co.	\$750.00	1087, 1167
1463	Sanitary Systems Service, Inc.	\$1,600.00	1118, 1202
1924	Sanitary Systems Service, Inc.	\$836.17	1513, 1547
171	Sargent Electric Company	\$1,255.15	81, 155
615	Sargent Electric Company	\$260.00	465, 537
1011	Sargent Electric Company	\$2,250.00	793, 862
246	Scott Electric	\$787.14	145, 229
75	Scott Electric	\$376.74	32, 91
730	Seymour Graphics	\$1,717.00	534, 592
1943	Schaffman, S.	\$55,000.00	1516, 1556
1944	Shealey, H. & W.	\$75,000.00	1516, 1556
263	Shuler, H.	\$100,000.00	147, 193
1945	Silbaugh, R.	\$1,177.12	1516, 1556
1777	Sims, Joan	\$6,000.00	1380, 1439
475	Snead, R.	\$2,018.46	317, 418
982	Sonitrol	\$2,050.00	737, 832
1889	Spinello Construction Company	\$2,015.50	1465, 1546
702	Spiniello Construction Company	\$42,473.43	529, 590
543	Stadiums Unlimited	\$600.00	412, 473
1597	State certified evaluators	\$1,500.00	1229, 1310, 1344
834	The Borough of North Braddock	\$1,175.00	604, 649
634	Tench, D.	\$76,000.00	468, 538
1913	Thomas A. Mekis & Sons, Inc.	\$5,386.08	1511, 1547

<u>WARRANTS</u>			
<u>BILL</u>	<u>SUBJECT</u>	<u>AMOUNT</u>	<u>PAGE</u>
1460	Thomas A. Mekis and Sons, Inc.	\$995.09	1118, 1201
667	Thomas Mekis & Sons, Inc.	\$1,248.57	501, 568
1508	Three (3M) Company	\$1,579.84	1162, 1231
1022	Thrifty Rent-A-Car	\$1,244.01	795, 863
180	Thrifty-Rent Car	\$2,795.32	82, 156
1676	Titus Marcus and Shapira	\$12,721.46	1277, 1382
262	Titus Marcus and Shapira	\$15,956.21	147, 210
8	Tom Mistick and Sons, Inc.	\$1,400.00	18, 55
496	Tony Baiano Cnstruction	\$3,685.00	363, 433
5	Trumbull Corporation	\$42,340.39	18, 54
68	Trumbull Corporation	\$3,826.21	31, 91
1188	Trumbull Corporation	\$913.79	939, 995
1111	Trumbull Corporation	\$15,717.95	883, 949
828	Trumbull Corporation	\$45,443.47	602, 648
1013	Trumbull Corporation	\$63,720.80	793, 863
753	Trumbull Corporation	\$15,259.60	563, 607
788	Trumbull Corporation	\$29,322.40	585, 631
1698	Trumbull Corporation	\$2,103.37	1330, 1407
1534	Trumbull Corporation	\$1,634.65	1197, 1249
1290	Trumbull Corporation	\$2,603.30	1038, 1094
1389	Upper St. Clair Volunteer Fire Department	\$4,900.00	1061, 1125
984	Vern's Electric	\$2,128.26	738, 832
249	Vics Boat Park	\$500.00	145, 230
1470	Volpe-Rogal, Inc.		1119, 1202
1540	Walker, D.	\$1,275.00	1198, 1251
1948	Weakland, A.	\$16,500.00	1516, 1557
1012	W.G. Tomko and Son, Inc.	\$1,385.00	793, 862
375	W.G. Tomko and Son, Inc.	\$580.00	225, 320
1635	Wilkerson, E. & W.	\$1,550.00	1248, 1344
876	Williams, K.	\$1,000.00	627, 678
1733	Wozniak, D.	\$1,276.00	1336, 1408



Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Monday, January 6, 1986

No. 1

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA

Monday, January 6, 1986

In accordance with the provisions of the Act of Assembly of the Assembly of the Commonwealth of Pennsylvania, approved May 31, 1911, the Members-elect of the Council of the City of Pittsburgh, together with those holding over, convened in the Chambers at 10:00 A.M.

The Council was called to order by Michael A. Perry, City Clerk, who acted as Chairman pro tem of the meeting.

Mr. Perry:

This being the day and hour fixed by the Act of Assembly of the Commonwealth of Pennsylvania and the Pittsburgh Home Rule Charter for the organization of the Council of the City of Pittsburgh, the One Hundred and Twenty-Fourth Council will be in order.

At this time will Mr. Grabowski and Mr. Givens please escort Mayor Richard Caliguiri into the Chambers.

We will rise for the Pledge of

Allegiance to the Flag and remain standing for the invocation.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

Mr. Perry:

We are honored this morning to have with us the Reverend Loran Mann, Pastor of Pentecostal Temple Church of God in Christ who will deliver the invocation.

Reverend Mann:

Let us pray.

Oh God, our help in ages past, our hope of years to come, our shelter from the stormy blast, and our eternal home.

Before the hills and order stood or earth received her frame, from everlasting thou art God through endless years the same.

A thousand ages in thy side or as an evening gone, short as the watch that ends the night before the rising sun.

Thank you for the blessings of life and liberty and for the privilege of coming boldly to thy throne of grace, for it is there that we find the mercy to sustain us in the hour of need.

You have admonished us to always acknowledge you in all of our ways with a promise that you would direct our paths.

And so we come now thanking you for the privilege of serving the citizens of the City of Pittsburgh and its environs and ultimately our fellow men, and to ask your blessings upon the members of City Council, individually and collectively, as well as all who govern the City.

We pray that you would give them wisdom, knowledge and understanding, that you would remind them that they who govern must govern rightly.

We ask that you would be in every session of this body, both private and public, that you would guide them as you did Israel with the cloud in the day and a pillar of fire by night.

We plead for your presence. Be with these public servants in all of their deliberations.

And we pray not only for those who serve but for the electorate which they represent. Grant patience, wisdom, trust, and most importantly, understanding.

We ask that you give us unity, for where there is unity there is strength.

This is our prayer, God the Father, God the Son, God the Holy Spirit.

Amen.

Mr. Perry:

Thank you, Reverend.

The first order of business will be the Presentation of Certificate of Election.

The Chair presented

Bill No. 1

Commonwealth of Pennsylvania County of Allegheny CERTIFICATE OF ELECTION

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that at the Election held on the Fifth day of November, 1985, in said County

EUGENE P. DePASQUALE

was duly elected to the office of

**MEMBER OF COUNCIL
Four Year Term**

CITY OF PITTSBURGH

in the County of Allegheny,
Commonwealth of Pennsylvania.

Witness our hands and the seal this
twenty second day of November, 1985.

Tom Foerster, Chairman
Pete Flaherty
Barbara Hafer

Board of Elections
Ex Officio,
The Return Board
of Allegheny County

Which was read, received and filed.

Also,

Bill No. 2

Commonwealth of Pennsylvania
County of Allegheny
CERTIFICATE OF ELECTION

We, the undersigned, constituting
the Return Board of the County of
Allegheny do hereby certify that at the
Election held on the Fifth day of
November, 1985, in said County

SOPHIE MASLOFF

was duly elected to the office of

MEMBER OF COUNCIL
Four Year Term

CITY OF PITTSBURGH

in the County of Allegheny,
Commonwealth of Pennsylvania.

Witness our hands and the seal this
twenty second day of November, 1985.

Tom Foerster, Chairman
Pete Flaherty
Barbara Hafer

Board of Elections
Ex Officio,
The Return Board
of Allegheny County

Which was read, received and filed.

Also,

Bill No. 3

Commonwealth of Pennsylvania
County of Allegheny
CERTIFICATE OF ELECTION

We, the undersigned, constituting
the Return Board of the County of
Allegheny do hereby certify that at the
Election held on the Fifth day of
November, 1985, in said County

MARK H. POLLOCK

was duly elected to the office of

MEMBER OF COUNCIL
Four Year Term

CITY OF PITTSBURGH

in the County of Allegheny,
Commonwealth of Pennsylvania.

Witness our hands and the seal this
twenty second day of November, 1985.

Tom Foerster, Chairman
Pete Flaherty
Barbara Hafer

Board of Elections
Ex Officio,
The Return Board
of Allegheny County

Which was read, received and filed.

Also,

Bill No. 4

Commonwealth of Pennsylvania
County of Allegheny
CERTIFICATE OF ELECTION

We, the undersigned, constituting
the Return Board of the County of
Allegheny do hereby certify that at the
Election held on the Fifth day of
November, 1985, in said County

BEN WOODS

was duly elected to the office of

MEMBER OF COUNCIL
Four Year Term

CITY OF PITTSBURGH

in the County of Allegheny,
Commonwealth of Pennsylvania.

Witness our hands and the seal this
twenty second day of November, 1985.

Tom Foerster, Chairman
Pete Flaherty
Barbara Hafer

Board of Elections
Ex Officio,
The Return Board
of Allegheny County

Which was read, received and filed.

Mr. Perry:

The next order of business will be
the Administration of the Oath of
Office.

We are honored to have with us this
morning the Honorable Walter Little,
Judge of the Court of Common Pleas,
who will administer the Oath of Office
to Eugene P. DePasquale.

The Oath of Office was administered by
Judge Little and Mr. DePasquale signed
the Oath.

Mr. Perry:

We also have with us the Honorable
Rita Wilson Kane, Register of Wills, who
will administer the Oath of Office to
Sophie Masloff.

The Oath of Office was administered by
Mrs. Kane and Mrs. Masloff signed the
Oath.

Mr. Perry:

We also have the Honorable Paul R.
Zavarella, Judge of the Court of
Common Pleas, who will administer the
Oath of Office to Mark Pollock.

The Oath of Office was administered by
Judge Zavarella and Mr. Pollock signed
the Oath.

Mr. Perry:

We also have the Honorable Gerard
M. Bigley, Judge of the Court of
Common Pleas, who will administer the
Oath of Office to Ben Woods.

The Oath of Office was administered by
Judge Bigley and Mr. Woods signed the
Oath.

Mr. Perry:

Being that the newly elected and re-elected members of Council have been duly sworn in, the Clerk will call the roll.

And the roll being called, the following members were present:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	

Mr. Perry:

Nine members present. The next order of business is the nomination and election of the President of City Council. What is your pleasure?

Mr. Grabowski:

Mr. City Clerk, at this time I take great pleasure in nominating Council's past Finance Chairman for the office of President of Council, Ben Woods.

Mr. Perry:

Mr. Woods is nominated. Any more nominations?

Michelle Madoff:

Mr. Chairman, City Clerk, whatever you title is today. Traditionally, a senior member of Council becomes the President and while I have not supported this concept in the past, and while it is true that Sophie Masloff and myself have not always agreed on issues, nevertheless, I must admit openly that Sophie has always conducted herself with dignity and treated everyone with courtesy and respect.

It is certainly a disgrace, and I know Sophie shares my views, that we will not have even one minority on Council in a City that has a population of some 28 to 30 percent Blacks. It is also true that while women are not the better half, we certainly are the other half, and obviously we do not hold half the seats on this City Council. There are those who may say this is a chauvinistic remark, and you can bet your tootsie it is.

Women in government, in the decision-making process, comprise only about one percent of the elected officials of the decision-making process, and I say boo. It is time that women, and I speak from personal experience, are not ruled out of order after eight minutes while men can go on and on and on and on before being asked to curtail their comments.

I honestly believe that Sophie will treat all Councilmembers equally. She will have the best interest of the public at heart, and will break the tradition of the old boring network.

In the 250 year history of City Council there has never been a female President of Council. Let's make history today.

Before my closing remark, as everybody in this room knows, and it's no secret, it's been front page, this Council has been divided 4-4 as to who would be the President, Mr. Woods, or Councilwoman Masloff. And the decision that really held this up was who was going to be the Finance Chairman. Well, Mr. Givens is the other senior member of this Council and I don't think that Mr. Givens would be less of a Finance Chairman than anybody else because if I was appointed I would have to learn the job and I think he would make an excellent Finance Chairman.

Therefore, I would like him to think about the fact that whether it was a last minute request — One of the reasons it was last minute, there was so much interplay behind the scenes in the back room, people's feelings being hurt and offers being made, that no one wanted this to be a public issue until the last minute. Mr. Givens, I think, is offended he was asked at the last minute. But I want him to know it is not Sophie asking him because she wants to be President of Council, she was not going to be vindictive nor ask Mr. Woods to step down, it was all of us saying, "Why not Mr. Givens; he's been here as long as anyone else." I wanted him to understand that before we voted.

I close by saying, after years of devoted service to the people of Pittsburgh, it gives me a great deal of pleasure, Councilwoman Sophie Masloff, to nominate you for President of Pittsburgh City Council.

Mr. Perry:

Sohie Masloff has been nominated.

Are there any more nominations? Any more nominations? Any more nominations?

At this time I would like to entertain a motion to close the nominations.

Mr. O'Malley moved that the nominations be closed.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Perry:

Before calling the roll, would any member of Council wish to withdraw their name?

There being none, the Clerk will call the roll.

Mr. DePasquale:

Mr. Ben Woods.

Mr. Givens:

Mr. Ben Woods.

Mr. Grabowski:

Mr. Ben Woods.

Michelle Madoff:

Sophie Masloff.

Mrs. Masloff:

Mrs. Masloff.

Mr. O'Malley:

Mr. Woods.

Mr. Pollock:

Mr. Perry, I have a motion. While I would have been honored and had truly wanted to serve on the first Council to have a woman President, my arithmetic is good and with four votes and his own vote yet to come, Mr. Woods will be our Council President.

Thus, in the interest of harmony, I move that the voting be unanimous for Mr. Woods.

Mr. O'Malley seconded the motion.

Mr. Perry:

At this moment, the motion is out of order. We will continue with the vote.

Mr. Pollock:

Mr. Woods.

Mr. Wagner:

Sophie Masloff.

Mr. Woods:

Ben Woods.

Mr. Perry:

The ayes and noes were taken agreeable to law and were:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Woods

MR. WOODS - 6

Michelle Madoff Mr. Wagner
Mrs. Masloff

MRS. MASLOFF - 3

And a majority of the votes of Council being in the affirmative, Mr. Woods was approved as President of City Council.

Mr. Pollock:

Mr. Perry, I'd like to restate my motion and again state that, in the interest of harmony, I move that the voting be unanimous for Mr. Woods.

Mr. O'Malley seconded the motion.

Michelle Madoff:

Discussion. I think that the public, through the media, and to the guardian of the people's right to know has seen what has happened here today and we women will be heard in future elections. Thank you.

Mr. Perry:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Mr. O'Malley	

AYES 7

NOES 2

(MICHELLE MADOFF AND MRS. MASLOFF VOTING NO)

And the votes of Council not being unanimous, the motion was defeated.

Mr. Perry:

We have the Honorable Gerard Bigley who will administer the Oath of Office to Ben Woods as President of City Council

The Oath of Office was administered by Judge Bigley to the President of City Council.

Mr. Perry:

Members of Council, ladies and gentlemen, may I present to you Council President Ben Woods.

Mr. Woods:

Thank you all very much. I thank all of my colleagues, those who voted for me and those didn't vote for me, I'm sure we can work this out. I intend to work with all of you in harmony as I have in

the last four years that I've been on this Council.

While I'm here, I would like to thank all the members of my family, all my neighbors, my friends, the ward officers in the Democratic Party and especially the people of this City for electing me to serve another four years.

Thank you all very much.

Now I'd like to call on Eugene DePasquale to come up and say a few remarks.

Mr. DePasquale:

Mayor, Reverend Clergy, distinguished guests, relatives and friends all. This is probably the fourth time that I'm taking the Oath of Office as a Councilman of the City of Pittsburgh. I took it three times as the Council President. It may be a record for a person to be sworn in four times; I don't know. I'll have to have Mike check on that.

When I was first sworn in in January of '72, the three pressing problems in the City of Pittsburgh were transportation and unemployment and housing. I would say that skybus, which was the mode of transportation we were discussing then, as you know, did not succeed and it was through no fault of mine. I was supportive of skybus and, for the record, I was the last public official to stay on that bandwagon. I think Pittsburgh will live to regret that they didn't go through with skybus. But we do have a pretty good system now and we have to make the best of what we have.

We did make a dent in housing but not as good a dent as I thought we should have made. We can make a better one and we have to keep striving towards that.

Right now, unemployment, I don't have to tell you, is our chief problem, our chief concern. I know the Mayor has addressed it on several occasions with the task force that he's formed and what have you, and I know he's working towards that goal and working very earnestly. Along with City Council, I think that we can pull it off and get some work back in this area, get some industry in this area, and certainly keep what we have here now.

There's not much else I can say except that when I ran in the primary - I'm going to be very frank with everybody; I've been a frank person all my life and a very honest person - I wanted to prove a point. I walked out of City Council; I just said, "I've had it," and I took off. But some remarks were made and certain things were said. Sadly it had to come from my own party and leaders of my own party and it disturbed me and I was going to show them that I could come back with the help of fine people like you and get re-elected. I proved that point and now that I've proved that point I've got a job to do on City Council and I'm going to do it.

Contrary to what some of you are thinking, I'm going to make no comments in regard to certain comments that were made earlier with the exception of saying that Sophie Masloff, whether she realizes it or not, is one of my dearest friends in the world. However, things happen along the way. I'm not going to say deals were made but politics played a part; that's for sure. I swung to Ben Woods who also is a very dear friend. So, it wasn't a case of disliking Sophie Masloff or being anti-woman or anti-minority or anything else.

As far as Black representation on City Council goes, no one is sorrier than Jeep DePasquale that we don't have Black representation. If Jeep

DePasquale would have had his way we would have. But we were thwarted along the way, for whatever reason. That will be corrected; I can guarantee you that.

I have just two other comments to make. Members of Council, I am more or less the senior member and I think I can give a little advice. I wouldn't let the news media concern you too much. In the past, it did concern me and got the best of me at times. Regardless, I've traveled quite a bit in the last two years, in fact, the last ten years, and there isn't a city in the United States where the Council is not the butt of the jokes and isn't the cause of all the problems. With all due respect to our Mayor who is probably the greatest Mayor we ever had, whenever anything goes right in the City, the Mayor gets the credit; and whenever anything goes wrong, City Council gets the blame.

I'm just trying to make a point that we are not unique here in Pittsburgh by getting time and again by the news media. I think you know that in my case, the news media has accused me of everything but having Aids. Somehow I've held my head above water.

One other bit of advice to City Council. Let's get back to what City Council is supposed to be, a legislative body and nothing else. All that we owe the City of Pittsburgh is constructive legislation and worthwhile legislation. We don't belong in investigations and all the other publicity-seeking things.

I'm not pointing any fingers but remember, every one of you, you're to legislate and that's all you're supposed to do. And if you do a good job at legislating your name is not going to get in the papers too much because when you're doing a good job they're not going to hear your name and they're not going to see your name in print. It's something

like a baseball umpire. You don't hear about the good baseball umpires because they do their everyday job and they do it good. But you do hear about the lousy umpires, the ones that make mistakes. They're the ones whose names get in the paper.

So, we don't have to have our names in the paper. Let's do our job, let's legislate properly, and everyone is going to be happy.

If I may, I would like to acknowledge the fact that along with tons of friends that are here today, that my family is here and I would ask them to take a bow. My wife, Josephine, my daughter, Carol Ann, her two children Chris and Angela, I see my son Mark and I presume the rest of them are here, Jimmy, Alfred, and Eugene. I see my good friend Guy DeLuca is pointing back there and I finally realize that he's pointing at my brother Bob, my son-in-law, Robert Hertz. I believe my daughter-in-law, Helen, is here. My brother Al and my sister-in-law Ange and, as I said, tons of cousins and obviously a lot of friends.

I want to thank all of you and God bless everybody.

The Chair:

Next, I would like to call on Sophie Masloff.

Mrs. Masloff:

Mayor Caliguiri, honored clergy, distinguished guests, my beloved family, they say that time passes swiftly when you're having fun. Certainly for me these past eight years on City Council have passed quickly but it's hard to say just how much fun it has been. I know that they have been eventful and productive years, years during which I

have been privileged to have contributed and serving and advancing the best interests of the people of Pittsburgh.

It is not in my makeup to spend much time reflecting on the past but in retrospect and on balance, I believe that the members of Council with whom I have served have shared a common desire to represent the people in a positive and responsible manner.

Oft times, the periodic controversies and superfluous rhetoric clouded the effective work of Council and its accomplishments. One thing that I have found these years in the public service is that this is not an easy job; it's a job that requires the wisdom of Solomon and the hide of a rhinoceros. It deals with the making of difficult and controversial decisions, all of which have some bearing on the future of this City and the well-being of its citizens. But I'm satisfied that I have accepted the challenge and I'm gratified with the continued support and confidence of the people in my ability to serve them.

Looking ahead to the next four years, I do so with confidence, despite the fact that we may be facing some financial difficulties with sizeable federal assistance cutbacks looming for '87. It is vitally important that we do everything possible for as long as possible so as not to add to the financial burden of the residents. I see my place in the next four years as supporting all efforts to increase employment, to provide effective and efficient and public safety services and, in general, work with the residents throughout neighborhoods and the business interest to improve the quality of life and economic climate in the City.

Those of you who have followed my career in City Council must realize, as I do, that I've already talked too much.

I'm not much at running off at the mouth; I believe in saying what has to be said and I have no intention of deviating from that policy in the years ahead. But I do want to acknowledge publicly the support of my friend, Rita Kane. The ideal she holds dear of honesty and faithfulness in public service have been an inspiration and have served me well these many years. I also want to give public recognition to the support given me by my husband, Jack, my daughter, Linda, my son-in-law, Nick, and my grandchildren, Jennifer and Michael, and my beloved sister, Sarah.

Thank you and my best wishes for a happy and prosperous New Year. Thank you.

The Chair:

Next I would like to call on Mark Pollock.

Mr. Pollock:

Reverend Mann, Rabbi Jacob, Mayor Caliguiri, Justice Papadakos, other members of the judiciary, honored guests, my new colleagues, family and friends, I want all of you to know that I have a lot more to say than either Jeep or Sophie.

First, this is my first time here and it took a great deal of effort to get here.

Second, this might be the last opportunity I get to speak in this room. But don't worry, I have to be out of here by 11:00 to start my new part-time job as a talk show host on KQV Radio.

Often, when an individual is sworn in, his or her spouse holds the Bible. You may have noticed that there was no such person for me here today. I've been asked many times what my goals are and that's one thing I'd like to accomplish in

the next four years. Being single, I have also been frequently asked if my election victory has improved my social life, and, clearly it has. Now when I ask a woman out and she says, "No thanks", she always follows it with, "But I voted for you", and I don't feel so bad.

Before I continue, allow me to introduce my mother and my grandmother.

I'd like to reflect on some of the events and people that made this great day in my life possible. Last year at this time it would have been extremely difficult to identify a person less likely to win than I, and for those of you who don't know it, I was on just about every elected official's hit list. Very few would have anything to do with me because of positions I had taken, loyalties I would not forsake, and friendships I would not abandon for political expediency. Fortunately, however, there were people like Augie Carlino, Sam Tiglio, Nick Gallo, Chief John McNamara, Liz White, Stan Lederman, Marty Krauss, the Mulders, Leon Davis and others who supported me. These quality individuals stuck with me for the very reason why so many in high places had targeted me for elimination. Because they saw in me the qualities that they themselves possess; loyalty, integrity and courage. One who displays these characteristics should be encouraged, not punished.

I thank these people and all the others who helped me obtain the endorsement despite heavy obstacles. Sometimes it is difficult to comprehend how I was able to do it with the powerful forces against me, but I am reminded of a quote by Winston Churchill: "At the bottom of all the tributes paid to democracy is a little man walking into the little booth, with the little pencil, making the little cross on the little bit of

paper. No amount of rhetoric or voluminous discussion can possibly diminish the overwhelming importance of the point."

I harbor no resentment toward the officials who worked so hard against me. I have always tried to recall a bit of sanskrit wisdom: "The anger of a good man lasts but an instant; that of a meddler two hours; that of a base man a day and a night; and that of a great sinner until death." Indeed, I look forward to working with these individuals and learning from them. I hope they come to realize that the same people who flocked to them when other's political fortunes failed will just as quickly abandon them when their own fortunes begin to decline.

There was a great deal of apprehension, even fear, about me. Was I some radical, an obstructionist, a revolutionary? Time will prove me to be none of these. I do acknowledge a past when I would see injustice and would seek confrontation. Age and the education gained from mistakes made have altered this. But the most significant factor in my development was the advice and counsel of caring friends who had the stamina to wear me down, the wisdom to show me that far more can be accomplished through cooperation than confrontation, and the patience to endure my growing pains. Words cannot adequately express my gratitude to these people who surely must know what it is like to break a wild young bronco.

To Robin Bernstein, Phil Frasca, Sue Scott, Seymour Heyison and others, thank you for your dedication and patience. You were wiser than I all along and thank God you were stronger than I as well.

A different Mark Pollock has emerged from this process. Yes, I still

see injustice but now I realize that if every battle is fought, then none will be won. These people taught me to pick my spots. The name of the game is effectiveness. I can have great ideas but I must still be able to convince at least four of my colleagues that my cause is just and that's what government is all about.

The most difficult part of this entire process has been trying to thank all the people who are responsible for my being here. What is so very gratifying, indeed humbling, was the quality of the people who worked very hard to get me elected. Their passion, their commitment, has never before been witnessed in any campaign.

There has been much said and written about my energy. Sherley Uhl said it was enough to pilot the space shuttle. Well, my friends, if you're the candidate and the volunteers are putting in 18 to 20 hour days, it's very difficult to sit down and relax. It was guilt that kept me going; guilt, Diet Coke, and about 16 Stresstabs a day.

Please permit me, however, a few special acknowledgements. Sue Scott, who worked so hard and believed so deeply in my candidacy from the very beginning. I will always remember Primary night when we hugged and she said, "The good guys won."

Robin Bernstein, my campaign professional, my advisor and my friend, who had the courage to go to work for me at significant risk to her own career and political future, when I was about as popular as Moammar Khadafy. She gave of herself totally and selflessly.

Judge Paul Zavarella. Many wonderful things have happened to me in my life but none more wonderful than when he hired me out of law school in

1979. Since that time, he has become like a father to me, a person in whom I have total trust, a person to whom I turn in my darkest hours with confidence that I will be directed right. His family has become like my family. One of my first thoughts after my victory was the realization that my long-time dream of having him swear me in would come to be.

Irene and Jay Fingeret. These are two people who not only believed in me from the first day I decided to run, in November, 1982, but who have shared each and every hardship, every disappointment, and every pain with me. They had given everything they could give - their time, their energy, their family, their house, their hearts and souls. More than anybody else, they deserve to share the joy of this day with me. They are far more than my partner and his wife, they are the most selfless, giving people I have ever known and probably the only couple in the world that could have endured this disruption of their lives, their work, and their home. I only hope you know how grateful I am.

Last, but not least, my three brothers, the people nearest and dearest to me. What can I say about three younger brothers who would do anything in the world for me. Lee and his wife Natalie, limited by geography but who gave financially until it hurt and who kept in constant contact and who did all they could by long-distance.

Herky who went days without sleep at all, commuting from college in Ohio. He would put up signs all day and then stay up all night guarding them to make sure no one tore them down. He was so tired one night he actually broke down and will anyone ever forget that night of the endorsement when he ran across Soldiers and Sailors, actually flew across

Soldiers and Sailors, with the results.

And Adam. Making him campaign manager was a decision akin to converting Babe Ruth from a pitcher to a hitter. He turned a floundering campaign into a powerful, synchronized machine that would not be denied a victory.

There are many others who worked very hard. I have tried to thank you all but please realize how inadequate I have felt in doing so. I will always remember your dedication and treasure your friendships. What makes me very proud and gratified is that I know what got me elected was not my qualifications or my work, not the money or anything else; it was my friends.

Speaking of friends, the only damper on this great day is that my good friends, Sonia Melnikova and Benjy and Tania Bogomolny could not be here today. But they are Russian Jews and so are trapped in the Soviet Union and not even able to receive mail, so they probably didn't even receive the invitation to come today.

I will close by promising all of you that I will be a Councilman of whom you will be proud. I will be a Councilman of courage. Courage is the most important virtue because it makes all other virtues possible. I will be a Councilman of integrity. My standard will be what is right and wrong, not what can I get away with. And I will be a Councilman of action and hard work. There are three kinds of people; those who make things happen, those who watch things happen and those who don't even know what is happening. I will make things happen.

When one graduates from law school, the joy is really spread out. First there is a celebration of the last day in classes and the last day of finals and the

last day of the bar exams and then the day you receive the bar exam results and then the day you take your Oath of Admission. So it was with this election. We had the joy of the endorsement victory, the elation of primary night, and the utter relief of the general election victory. But this today is the greatest of them all. Starting today I am serving the most livable city with the most lovable people in the world. Hey, I don't care what Rand McNally says now or in the future; Pittsburgh will always be the greatest city, the city I love.

You have given me an honor that only few receive. With it comes an awesome responsibility. I will always treasure the honor and remember the responsibility. All I can say is thank you, and you won't be sorry.

The Chair:

Now I would like to announce the Committee Chairmen.

The Committee on Finance, Mr. O'Malley. The Committee on Public Works, Mr. Givens. The Committee on Planning, Housing and Development, Mr. DePasquale. The Committee on General Services, Mr. Grabowski. The Committee on Water, Ms. Madoff. The Committee on Parks and Recreation, Mrs. Masloff. The Committee on Public Safety, Mr. Wagner. The Committee on Engineering and Construction, Mr. Pollock..

Also, the appointment of Councilmembers to the Board of Trustees at Carnegie Library; Mr. Givens, Mr. Wagner and Mr. Pollock.

Also, one Board member to the Board of Trustees at Buhl Planetarium, Mrs. Masloff.

In the past, usually the Finance

Chairman is President Pro tem. I would like to deviate from that and I'd like to have Mr. Givens nominated as President Pro tem of City Council.

Mr. O'Malley:

So moved.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Mr. Grabowski:

Mr. President, I'd like to move that the rules of the preceeding Council be adopted as the rules of this Council.

Mr. O'Malley seconded the motion.

Michelle Madoff:

Discussion. I move that we have our usual meeting to amend those rules that we've been planning to do for a very long time, to treat people a little more fairly and have some of our situations cleaned up in a meeting in the very near future.

Mr. Pollock:

Mr. Woods, I make a motion to table that since, honestly, I'm not familiar with the rules of the prior Council and I'd like time to review them before I vote on the matter.

The Chair:

Before I can table it, there's been a motion and it's been duly seconded.

Mr. Pollock:

A motion to table takes precedence over all other motions.

The Chair:

No it does not.

Michelle Madoff:

It only does in Robert's Rules.

The Chair:

The motion was made and has been seconded to approve the rules of Council and that's the motion, unless these two people would like to withdraw their motions, Mr. Pollock.

Mr. Pollock:

I think a motion to table takes precedence over all other motions. Mr. Perry?

The Chair:

No it doesn't.

Mr. Wagner:

Mr. President and members of Council, I think it's very important that this Council have some rules to operate under. If those rules need to be improved upon, we should establish a committee and we should re-evaluate them. But I do not want to see this Council proceed from this day forward without any rules. So, I would suggest to my colleagues that we have some rules by which to govern ourselves by and if there is need for re-evaluation and restructuring of those rules, so be it.

Michelle Madoff:

I concur with my esteemed colleague, Mr. Wagner; we have to start from some base. But my point was, and I repeat, that we meet tout de suite and that we do something to update those rules as we've been planning to do for

some time and have not done so.

The Chair:

Is there any other discussion? All in favor signify by saying aye. Opposed?

WHICH MOTION PREVAILED.

The Chair:

Now I'd like to call on Mayor Richard S. Caliguiri for a few remarks.

Mayor Caliguiri:

It's indeed a pleasure to be before you once again and to congratulate the newly elected and re-elected Councilmembers.

Mark, newly elected, it's certainly good to have you with us and there's no doubt in my mind, and I'm sure all in this room, that you'll certainly bring new ideas and thoughts to this City Council and to this City, something that is always necessary and something that is needed as this City goes in transition. So, Mark, I congratulate you and welcome you to this City Council.

Jeep, we won't blame everything on you if the Pirates don't win this coming year but I think you have made a record, Jeep. I don't know of any other Councilman that has come back after a two-year hiatus as you have, but it's good to have you back, Jeep. It's good to be working with you once again. We've had a great working relationship and there no doubt in my mind that once again you will be heard from, but the City will be better for it. Jeep, I congratulate you once again for that.

Sophie who has been re-elected with her little grandson there. Sophie, you've done so much to give us stability in this City and certainly your voice is

more than necessary. I look forward once again, Sophie, to be with you for the next four years and I congratulate you on your re-election and for remaining and staying with us and being just a great City Councilwoman.

Ben Woods, Mr. President, we will have a close working relationship, Ben. That's necessary between the President of City Council and the Administration as well as all members of Council. Ben, I congratulate you for the next four years and I can assure you, Ben, and all members of Council, some of the words that you've heard from the newly elected Council officials and, of course, the existing Councilmen, our agenda is certainly a long one in Pittsburgh. We are going through transition and we need each other. We've got to have each other when this Administration and this City is to move forward.

Council and the Mayor must work together, must cooperate together. When we do it, we get everybody else to do it, all the citizens in this City. And for us to continue to go forward with some of the thoughts and ideas and the things that we've done in the past and to keep them going, we must do it as a partnership.

I, as Mayor for the next four years, certainly say to you that that's the environment I want to work in. I want to come to this end of the hall on many occasions and I want you to be on the other end of the hall. Let's have one common denominator in working together for the good of this City. As Mark said, it's the most liveable city in this country. We knew that before we got the title and we're going to keep that even after that title.

Thank you all and God bless you.

The Chair:

Thank you, Mayor.

Mr. Givens:

Mr. President, if I might have a point of order here.

I'd like to recognize, before we formalize our meeting, that of Bob Stone, our out-going President. If he could just please stand up and be so recognized.

Bill Robinson, also. I haven't seen Bill but I would like to say that I've enjoyed serving with him.

Also, in the audience, Mr. President, is an old-time, ex-Councilman, ex-President, Tom Fagan in the back here and I'd like to recognize Tom.

We have Bernie Burns from our Firefighters union and some other union members. Chief McNamara, John McNamara is representing Gene Coon.

Some people do know that Judge Papadakos is here but I'd like to recognize him along with Justice Johnson from our Superior Court.

Mr. DePasquale:

Mr. President, if I may, I'd like to echo the sentiments of Councilman Givens and also one other note. When I first started on Council in '72, obviously there were nine Councilmembers, but only two of them are here today and for obvious reasons the other ones aren't and that's the now Mayor, Council had Mayor Caliguiri and the great labor leader that Mr. Givens had just mentioned, Tom Fagan.

Mr. Givens:

We also have our Honorable Controller here, I better introduce him, Tom Flaherty.

The Chair:

There are so many people here that if we tried to recognize all of them, we couldn't. If we had had a sign up list or something we would have done that. But thank you Mr. Givens and Mr. DePasquale.

Now, if I may continue, Rabbi Walter Jacobs will say Benediction.

Rabbi Jacobs:

Lord, our God, we thank thee for all thy blessings upon those members of City Council whom we have honored on this day. Thou hast granted them gifts of mind and spirit. Thou hast given each of them wisdom and understanding. Now we ask thy blessing upon them for the future. Grant them patience with each other, impatience with the problems that we face, enable them to help solve those problems with new ideas so that this city may continue to be rebuilt. Bless them so that all of us may be blessed through their efforts, so that work and good housing may exist for all of our citizens. Bless them now and bless us as citizens of this great city. Amen.

The Chair:

I will now entertain a motion to adjourn.

And on the motion of **Michelle Madoff**

Council adjourned.

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ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA

Monday, January 13, 1986

PRESENT:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Woods
	(Pres't)

ABSENT:

Mr. Wagner

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

At this time, I would like to make a change of Committees. Mr. DePasquale, who was appointed Chairman of the

Committee on Planning, Housing and Development, will now serve as Chairman of the Committee on Engineering and Construction. Mr. Pollock, who was appointed Chairman of the Committee on Engineering and Construction, will now serve as Chairman of the Committee on Planning, Housing and Development.

Michelle Madoff:

Discussion. I realize that it's a matter of information, that it's your decision to make. But may I respectfully remind this esteemed body that, more often than not, when Mr. DePasquale was with us on Council, he did the honorable thing by refraining from voting because there were so many of his relatives who were in the construction business. I think it would be inappropriate then, perhaps, to have him on that Committee and he might want to reconsider that if that would be a problem to him. It may not be, he may just not be able to vote on it, but he would have to be putting in the bills for people he refrains from voting for, which is why I'm not working for Insituform and Insituform is now doing \$400,000 worth of business for the City this year, they'll probably do \$1 million a year. I was cleared by the Ethics Commission, the Law Department and the Mayor and I could be collecting \$10,000 a year for doing nothing on an evergreen contract but I thought, since I deal with the Water Department, etc., I could not accept that and I think that that's something that the Chair might want to reconsider and might want to discuss with Mr. DePasquale. Perhaps he

hadn't thought of it from that angle.

The Chair:

I'm sure Mr. DePasquale is aware of that and I served with Mr. DePasquale for two years and any time anything came up with his family or any other relation was on it he did not vote and I think that that has been discussed and that is my decision and now I'd like to go on with the regular order of business.

Michelle Madoff:

I'm just making the point that he's going to have to submit the legislation and there will be, indeed, people that are related to him.

The Chair:

You're exactly right.

PRESENTATIONS

Mr. DePasquale presented

No. 5 Resolution providing for the issuance of a warrant in favor of Trumbull Corporation in the amount of \$42,340.39 in payment for Extra Work, being in addition to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street - Phase I, payable from the Grant Street Trust Fund. Prior approval granted.

Also,

No. 6 Resolution providing for the issuance of a warrant in favor of Noralco Corporation in the amount of \$37,959.04 in payment of an Emergency Contract for the stabilization of the rock ledge along Forward Avenue, payable from Code Account PW 83-18. Prior approval

granted.

Also,

No. 7 Resolution providing for the issuance of a warrant in favor of Consolidated Rail Corporation in the amount of \$3,827.55 in payment of construction services during the Reconstruction of the Radcliffe Street Bridge as per P.U.C. Order A-00100801, chargeable to and payable from Code Account 1981 CDPW.

Also,

No. 8 Resolution providing for the issuance of a warrant in favor of Tom Mistick and Sons, Inc., in the amount of \$1,400.00 in payment of Extra Work, being in addition to the original contract price of \$761,400.00 on Controller's Contract No. 27375, furnished for the benefit of the City in connection with the Building General - Phipps Conservatory - Phase II, payable from Code Account PR 84-01. Prior approval granted.

Which were severally read and referred to the Committee on Finance.

Also,

No. 9 Resolution Repealing Res. No. 644, effective August 1, 1983, entitled: "Providing for a Contract or Contracts for the Sewer Reconstruction and Intersection Chamber at Saw Mill Run Boulevard and Library Road, including work on private property and other work incidental thereto; and providing for the payment of the cost thereof," chargeable to and payable from Code Account PW 83-17, Sanitary Sewers in Various Locations, is hereby repealed in its entirety.

Also,

No. 10 Resolution amending Res. No. 559, effective June 21, 1982, entitled: "Providing for a Contract or Contracts for the Reconstruction of the existing retaining wall on Gomer Street at Greeley Street, including work on private property and other work incidental thereto; and providing for the payment of the cost thereof," by decreasing the total project allocation from \$80,000.00 to \$69,217.36, chargeable to and payable from the 1982 Community Development Unspecified Local Option.

Also,

No. 11 Resolution amending Res. No. 1198, effective December 16, 1977, entitled: "Providing for the letting of a Contract or Contracts for the construction of a new swimming pool and community room in Banksville, at a cost not to exceed \$500,000.00, in the Department of Parks and Recreation," by decreasing the total project allocation from \$500,000.00 to \$494,457.00, chargeable to and payable from the 1976 Community Development Block Grant Program.

Also,

No. 12 Resolution amending Res. No. 592, effective July 9, 1985, entitled: "Providing for the creation of a Trust Fund; providing for a Cooperation Agreement or Agreements with Allegheny County for the County's share of the Rehabilitation of the City-County Building Roof; providing for a Contract or Contracts for said project; and providing for the City's share of said project," by reducing the authorized amount of the Contract from \$296,000.00 to \$200,000.00, chargeable to and payable from the "City-County Building Roof Trust Fund".

Also,

No. 13 Resolution further amending Res. No. 760, effective September 6, 1983, as amended by Res. No. 860, effective October 15, 1984, as amended by Res. No. 1088, effective December 4, 1985, entitled: "Providing for a Contract or Contracts, or the use of existing Contracts, for the rehabilitation of Playgrounds at various locations to be determined; and providing for the payment of the cost thereof," by correcting the total project allocation from \$248,694.56 to \$249,008.96, chargeable to and payable from the 1983 Community Development Block Grant "Emergency Jobs Bill Program" (PR 83-11) "EJB Playground Rehabilitation".

Also,

No. 14 Communication from Paul J. McDermott, Director, Department of Engineering and Construction, requesting permission for John Valent, Asst. Director, to attend Roundtable #29, sponsored by the American Concrete Institute, to be held February 26 & 27, 1986, at the Marriott Long Wharf Hotel, Boston, Massachusetts, at a cost not to exceed \$275.00, payable from Code Account 1482, Miscellaneous Services.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 15 Resolution providing for the filing of an application by the City of Pittsburgh with the Department of Environmental Resources of the Commonwealth of Pennsylvania for a grant in connection with the 1986 Rodent Source Elimination Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the 1986 Rodent Source Elimination Project; providing for required assurances; providing for

execution of payment vouchers on Letter of Credit and for certification of authorized signatures; permitting the continued use of the Rodent Control Trust Fund; providing for the deposit of the funds in a bank account; and providing for payment of funds from the Fund.

Also,

No. 16 Resolution granting unto Warner Center, its successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a sidewalk elevator and vault on a portion of Forbes Avenue in the 2nd Ward of the City of Pittsburgh.

Also,

No. 17 Resolution granting unto Auto Parts Exchange, 516 - 518 Foreland Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a sign over a portion of the sidewalk along Foreland Street in the 23rd Ward, City of Pittsburgh.

Also,

No. 18 Resolution abandoning the existing 20 foot easement for utilities in Gallery #2 located between the 50 foot easement for vehicular circulation and a 20 foot easement for utilities along Freeport Road in the 12th Ward, City of Pittsburgh.

Also,

No. 19 Resolution adopting official sewage facilities plan revision for Monongahela Townhouse Plan.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 20 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning: 1. By creating two Special Exceptions approvable by the Zoning Board of Adjustment for a GROUP RESIDENCE FACILITY and a GROUP CARE FACILITY in certain "R", "C", "A" and "M" Districts; 2. By revising the existing Conditional Use Exception approvable by City Council to allow an INSTITUTIONAL FACILITY in certain "M" Districts; 3. By eliminating Conditional Use Exceptions for GROUP RESIDENCE FACILITIES and GROUP CARE FACILITIES; 4. By revising the existing definitions of GROUP RESIDENCE FACILITY and GROUP CARE FACILITY. --(SPONSORED BY MR. GRABOWSKI)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Grabowski moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 21 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts, for the purchase, installation and programming of a bar code system for the City of Pittsburgh, Department of General Services Warehouse, at a cost not to exceed \$25,000.00, \$7,000.00 chargeable to and payable from Code Account 1128, Miscellaneous Services, and \$18,000.00 chargeable to and payable

from Code Account 1132, Equipment.

Also,

No. 22 Resolution providing for the letting of a Contract or Contracts for the furnishing and delivery of motorized fire equipment for the Department of General Services, at a cost not to exceed \$2,000,000.00, \$1,000,000.00 payable from Capital Project Fund GS85-02, Fire Department Pump and Ladder Trucks and \$1,000,000.00 payable from Capital Project Fund GS84-02, Fire Department Pump and Ladder Trucks.

Also,

No. 23 Communication from George Jacoby, Director, Department of General Services, requesting permission for Dawn Botsford and Mina Gerall to attend the Maintenance Management Course sponsored by Duquesne University at the Greentree Marriott on February 5-6, 1986, at a cost not to exceed \$1,250.00, payable from Code Account 1134.

Also,

No. 24 Communication from George Jacoby, Director, Department of General Services, requesting permission for Eric St. Clair, Robin Smith, John Davis, Nancy Burgy and Ed Walkowski to travel to Boston, Massachusetts to observe an installation of fleet management software package at Stop & Shop on February 10-11, 1986, at a cost not to exceed \$3,000.00, payable from Code Account 1128.

Which were severally read and referred to the Committee on General Services.

Michelle Madoff presented

No. 25 An Ordinance

supplementing the Pittsburgh Code, Title Six - Conduct, Article I, Regulated Rights and Actions, Chapter 601, Public Order, by adding subsection 601.12(k) to provide that refuse in the Golden Triangle Area shall be placed at curbside only between the hours of 2:00 A.M. and 7:00 A.M.; and Title Seven - Business Licensing, Article, VII, Service Businesses, Chapter 765, Commercial Refuse, by adding subsection 765.05(f) to provide that refuse in the Golden Triangle Area shall only be collected between the hours at 2:00 A.M. and 7:00 A.M. —(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Public Works.

Also,

No. 26 An Ordinance amending and supplementing the Pittsburgh Code, Title Six - Conduct, Article I, Regulated Rights and Actions, Chapter 601, Public Order, by adding subsection 601.09(d) to provide that no person shall smoke in the Council Chamber of the City of Pittsburgh. —(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Public Safety.

Mr. O'Malley presented

No. 27 Resolution providing for the issuance of warrants in the aggregate amount of \$6,000.00 in full settlement of a claim for personal injuries by Todd Helfmann, a minor, arising from a falldown at the Pittsburgh Zoo, payable from Code Account No. 46, Judgments.

Also,

No. 28 Resolution providing for issuance of a warrant in favor of Microfilm Processing Lab, for film

purchased for the microfilm machine, chargeable to and payable from Code Account 1048, Miscellaneous Services.

Also,

No. 29 Resolution providing for the issuance of a warrant in favor of John G. Beck Insurance Agency in the amount of \$26,370.00 for the extension of a surety bond securing the City Worker's Compensation Program, chargeable to and payable from Code Account No. 44, Workers' Compensation, Department of Finance.

Also,

No. 30 Resolution providing for an Agreement with Dickie, McCamey & Chilcote, P.C. for professional legal services for the City Controller, at a cost not to exceed \$40,000.00, chargeable to and payable from Code Account 1048, Miscellaneous Services, Department of the City Controller.

Also,

No. 31 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for consulting services to assist the City of Pittsburgh in acquiring State assistance and fundings, and to work with various agencies of government for the benefit of the City of Pittsburgh, effective January 1, 1986, at an aggregate cost not to exceed \$25,000.00, payable from Code Account No. 1017, Miscellaneous Services, Mayor's Office.

Also,

No. 32 Resolution providing for an Agreement or Agreements with various hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations and tests for the

Civil Service Commission's Medical Examination Program for Police Officer candidates, Firefighter candidates, School Crossing Guards, Paramedics, at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 33 Resolution providing for an Agreement or Agreements for specialized professional services in connection with conduct of negotiations and arbitration proceedings including labor relations advice, representation at negotiating meetings and economic and job evaluation advice, and related personnel matters, at a cost not to exceed \$21,000.00, chargeable to and payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 34 Resolution providing for an Agreement or Agreements with a Laboratory or Laboratories, for professional services in connection with the administering of the following three tests: RBC Cholinesterase, Plasma Cholinesterase, and Rabies Antibody Titer for City of Pittsburgh employees, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 35 Resolution providing for an Agreement or Agreements with Court Reporter or Reporters in connection with the taking of testimony at Civil Service Commission and Appeals Board hearings, at a cost not to exceed \$1,000.00,

chargeable to and payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 36 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for professional services in connection with the research, preparation, evaluation, administration, and validation of Civil Service entrance and promotional examinations, at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 37 Resolution providing the amendment of a Guaranty Agreement with the Stadium Authority to include certain contractual obligations of the Stadium Authority as part of the City's guarantee. Prior approval granted.

Also,

No. 38 Resolution providing for the acceptance by the City of Pittsburgh of certain property in the 15th Ward of the City of Pittsburgh, for public greenway purposes at no cost to the City of Pittsburgh.

Also,

No. 39 Resolution Repealing Res. No. 726, Item J, approved August 8, 1985, which authorized the sale of property in the 27th Ward, being vacant land, located on Flora Street, designated as Block 115A, Lot 188, to Robert G. Lowe & Sheila M. Lowe, his wife, for the sum of \$3,000.00. The reason for the above Repealing Resolution is that it has been discovered by our Tax Liens Office

that this property has been formerly sold, and is not in possession of the City of Pittsburgh.

Also,

No. 40 Resolution amending Res. No. 1140, Item A, approved December 11, 1985, which authorized the sale of property in the 4th Ward, being a vacant lot, located at 2459 Fifth Avenue, designated as Block 11-M, Lot 125, to Roy C. Wright, for the sum of \$300.00. The reason for the above Amendment is to correct the Title Search number from 3343 to 37. This correction is to be made on both the Proposal and the Resolution.

Also,

No. 41 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sales in accordance with Act No. 514 of 1947, as amended.

Also,

No. 42 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sales in accordance with Act No. 514, as amended.

Also,

No. 43 Communication from Mayor Richard S. Caliguiri, requesting permission for George Whitmer to attend a meeting of the HUD/Department of Energy/US Conference of Mayor's in Washington, D.C. on January 21-24, 1986, at a cost not to exceed \$800.00, payable from Code Account 1017. Prior approval granted.

Also,

No. 44 Communication from

Ronald C. Schmeiser, Director, Department of Finance, requesting permission for Judith A. Gula to attend the University of Pittsburgh Seminar on Management Skills for Women in Business, Pittsburgh, Pennsylvania on March 18, 1986, at a cost not to exceed \$200.00, payable from Code Account 1063.

Also,

No. 45 Communication from Ronald C. Schmeiser, Director, Department of Finance, requesting permission for Stephen Schollo, Henry Sciortino and William Connors to attend a Professional Development Course offered by the American Institute of Bankers, at a cost not to exceed \$160.00, payable from Code Account 1063.

Also,

No. 46 Communication from John E. Gabriel, Director, Commission on Human Relations, requesting permission for LaVerne Burden to attend Microcomputer Training for Fair Employment Practices Agencies in Harper's Ferry, West Virginia from February 2-6, 1986, at a cost not to exceed \$650.00, payable from the EEOC Trust Fund.

Also,

No. 47 Communication from John E. Gabriel, Director, Commission Human Relations, requesting permission for Helen Robinson to attend Microcomputer Training for Fair Employment Practices Agencies in Harper's Ferry, West Virginia on February 9-11, 1986, at a cost not to exceed \$460.00, payable from EEOC Trust Fund.

Also,

No. 48 Communication from

Melanie Smith, Director, Department of Personnel, requesting permission for Dave Farley to attend the conference of the National Alliance of Business in Washington, D.C. on February 17-20, 1986, at a cost not to exceed \$800.00, payable from JTPA-1 Trust Fund.

Also,

No. 49 Communication from Melanie Smith, Director, Department of Personnel, requesting permission for Barbara Brown to attend a workshop sponsored by the Pennsylvania Department of Labor and Industry in Harrisburg, PA, on January 21, 1986, at a cost not to exceed \$200.00, payable from the JTPA-1 Trust Fund. Prior approval granted.

Also,

No. 50 Communication from Melanie Smith, Director, Department of Personnel, requesting permission for Tina Johnson and Anne McCafferty to attend a JOBSTART training conference in Washington, D.C. from January 21-23, 1986, at a cost not to exceed \$950.00, payable from the JTPA-1 Trust Fund. Prior approval granted.

Also,

No. 51 Communication from Tom Flaherty, City Controller, requesting permission for Raymond E. Johnson, Deputy City Controller to attend the 1986 Annual Conference of the Government Finance Officers Association to be held in Los Angeles, California from June 1 to June 4, 1986, at a cost not to exceed \$1,600.00, payable from Code Account 1048.

Also,

No. 52 Communication from Ronald C. Schmeiser, Director,

Department of Finance, submitting a report of deposits and market value of collateral security pledged by City Depositories to secure same as of November 30, 1986.

Which were severally read and referred to the Committee on Finance.

Also,

No. 53 Resolution authorizing the Urban Redevelopment Authority to acquire all of the City's right, title and interest to publicly owned properties in various wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County B. L. numbers mentioned therein.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Pollock presented

No. 54 Resolution amending Resolution No. 578, effective June 25, 1985, entitled: "Providing for a Cooperation Agreement with Urban Redevelopment Authority for Administration of Bates Street Housing Development Grant and providing for payment of cost thereof" to provide for execution of an Owner-Grantee Agreement for the project, which is required by the United States Department of Housing and Urban Development. The Bates Street Housing Development Grant Project will produce Fifty (50) one, two and three bedroom rental units in the Oakland section of the City.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bill

only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

No. 55 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 6, by changing: From "M3" Light Industrial District to "R2-T" Townhouse Residence District certain property located on the southerly side of TROY HILL ROAD near PROVINCE STREET, 23rd and 24th Wards.

Also,

No. 56 Resolution providing for an Agreement or Agreements with consultant(s) to provide new base maps of the City of Pittsburgh and incorporate them into the Land Records Management System and to purchase equipment, at a cost not to exceed \$300,000.00, chargeable to and payable from CP 86-04.

Also,

No. 57 Resolution providing for the designation of the Howe-Childs-Gateway House as an Historic Structure under the provisions of Section 513 of the Pittsburgh Code of Ordinances.

Also,

No. 58 Communication from Robert H. Lurcott, Director, Department of City Planning, requesting permission for Gary Erenrich to attend the 65th Annual Meeting of the Transportation Research Board in Washington, D.C. from January 13-17, 1986, at a cost not to exceed \$335.70, payable from Code

Account No. 1103.

Also,

No. 59 Communication from Robert H. Lurcott, Director, Department of City Planning, requesting authorization for Willa Holt to attend a one day seminar entitled, "How to Manage the Office Staff", Friday, January 17, 1986, at the Pittsburgh Airport Sheraton, Pittsburgh, PA, at a cost not to exceed \$165.00, payable from Code Account No. 1103.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 60 Resolution providing for an Agreement or Agreements with a psychologist or psychologists for professional psychological services for the Department of Public Safety, at a cost not to exceed \$45,000.00, chargeable to and payable from the Department of Public Safety Third Party Payers (DPSTPP).

Also,

No. 61 Communication from Jack Wagner, City Councilman, requesting approval for Michael Brady, Administrative Aide, to attend Policy Leader Regional Seminar, sponsored by the National League of Cities in Baltimore, Maryland on February 2-3, 1986, at a cost not to exceed \$600.00, payable from Code Account 1001-1.

Also,

No. 62 Communication from John J. Norton, Director, Department of Public Safety, requesting Barry Fox and Regina McDonald to attend the Drug Abuse Resistance Education Seminar in

Los Angeles, California from January 27 through February 7, 1986, at a cost not to exceed \$3,000.00, payable from the Department of Public Safety Third Party Payers.

Also,

No. 63 Communication John J. Norton, Director, Department of Public Safety, requesting permission for John Harpur and Dave Kielman to attend the 1986 Mid-Winter Meeting of BOCA International in Hunt Valley, Maryland, on January 14-18, 1986, at a cost not to exceed \$1,000.00, payable from the Department of Public Safety Third Party Payer Trust Fund (DPSTPP).

Which were severally read and referred to the Committee on Public Safety.

MOTIONS AND RESOLUTIONS

Mrs. Masloff presents

No. 2 WHEREAS, the Reverend Martin Luther King, Jr. dedicated his life and endeavors to the achievement of a just and healthy society and the enhancement of respect and trust in our institutions and the insurance that all citizens are treated equally before the law; and

WHEREAS, his outstanding contributions included in Nobel Peace Prize and other forms of international recognition; and

WHEREAS, January 15th is the birthday of this great American and will be celebrated throughout the United States of America on January 20th, 1986; and

WHEREAS, celebrations are held in schools, churches, and community centers; and

WHEREAS, the Congress of the United States has designated January 20th as a national holiday.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Members of Council of the City of Pittsburgh on behalf of the residents of the City of Pittsburgh do honor and commemorate January 20th, 1986, as a day of observance in Pittsburgh for the birthdate of the Reverend Martin Luther King, Jr.

Mrs. Masloff moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Pollock for Mr. Wagner presents

No. 1 WHEREAS, on Saturday, January 18, 1986, Pro-life citizens from throughout Allegheny County will take part in the Greater Pittsburgh Interfaith Prayer Breakfast for Life as the first of several events throughout the coming week; and

WHEREAS, on January 22, 1986, citizens from throughout the nation, including the City of Pittsburgh, will travel to the nation's capitol to participate in the "March for Life" and peacefully petition their representatives for a guarantee of the right to life for all persons, born and unborn; and

WHEREAS, this annual observance has been instituted by the Catholic Bishops of the United States and implemented and advocated by the People Concerned for the Unborn child; and

WHEREAS, the central message of this week-long observance is that every human being, born and pre-born, is

entitled to the basic fundamental right to life and should be treated with dignity and respect.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby recognizes January 17 through January 24, 1986, as "Respect Life Week" in the City of Pittsburgh, to focus attention on the basic right to life of all persons and to encourage the citizens of Pittsburgh to reflect upon the dignity and preciousness of all human life.

Mr. DePasquale moved to adopt the resolution.

Mr. Givens seconded the motion.

Michelle Madoff:

Discussion. I don't believe that that kind of resolution belongs in City Council. It has come up every year and Mr. Robinson and I have always addressed it as not belonging before this Council.

I believe in the laws of the land; whatever the laws of the land are I will obey them. I have a daughter who is 25 and as long as I can remember I've always taught her to respect her body and certainly not to use abortion as a form of birth control. What we need is education. We certainly don't need the burning down of clinics, people being threatened.

I don't think that is an issue that belongs before this Council. I think that I will abstain.

MICHELLE MADOFF AND MR. POLLOCK ABSTAINING.

WHICH MOTION PREVAILED.

Ms. Cindrich:

Mr. Chairman and members of Council, on behalf of People Concerned For The Unborn Child, on behalf of the voiceless innocence for whom we speak, on behalf of the vulnerable pregnant women whom we serve with our services, on behalf of the thousands of people from the Greater Pittsburgh area who will be traveling to Washington, D.C. to petition Congress to make a law protecting all human life as declared in the Declaration of Independence, I thank the Council of the City of Pittsburgh for this resolution. Something like this is a sign of support for the pro-life movement in the Pittsburgh area. Everyone in this room knows the reputation of People Concerned For The Unborn Child, they know our methods, they know the results we have achieved and I believe that getting this resolution is a confirmation of the work we are doing and I thank you all.

The Chair:

I thank you, Helen, for coming.

Michelle Madoff:

I have a floor motion and I have two other items of business. Would you like me to get the two other items of business out of the way first or the floor motion first?

The Chair:

Motions and resolutions.

Michelle Madoff:

Okay. As everybody knows, we're under a deadline with reference to the sculpture, the DiSuvero piece of sculpture. The Mayor has made a statement that no matter what happens he will raise the money whether this

Council appropriates the money or not. The issue is not the \$22,000; the issue is where that piece of statuary is going to be placed on our land, on City property.

Now, I have no problem with the piece of art, if I could at least see the piece of art. Mr. DiSuvero has said and people in Parks and Recreation have said that that is an old piece of work that was rusty, that we just sort of dusted it off and brought it out. It's not what Mr. DiSuvero has in mind.

I think that Mr. DiSuvero owes us the courtesy of showing us what we are going to put as a signature piece for our City. I'm sure that if the Chairman, the President of this Council were to call Alcoa or Michelle Madoff or anybody else on this Council and ask for a couple of pounds of aluminum and if we were to ask for the other companies to give us some steel or some other kind of metal, I don't think Mr. DiSuvero would have any problem himself acquiring some of the metals, he could give us a sample of the finished product.

There seems to be a great sentiment among the public that this is not the kind of art that the public wants. I for one, and I don't want to go into my press release, would like to see something more in the nature of the Unknown Soldier, the Einstein Statute and so on.

Now, I would like to create a line item. My motion is to create a line item for the people who want to contribute to meaningful art in the City. The checks would be made out, incidentally, City of Pittsburgh, My Voice For Pittsburgh Art. As I drive around the City or walk around the City, there isn't too much art. There's a lot of emperor's clothes, there's a lot of pipes that are bent and painted that are posing as art. Even if we were to lose out on this, this is the

fate it can play I'm afraid, I hope it's not, I hope the people will say don't put this piece of statuary until we know what it really looks like on our land. At least we will have some money the people feel they're contributing toward their choices of art and my wish is to create a line item that says, City of Pittsburgh, My Voice For Pittsburgh Art. I need a second for that.

Mr. Pollock seconded the motion.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff Mr. O'Malley
Mrs. Masloff Mr. Pollock

AYES 4 NOES 3

(MR. DEPASQUALE, MR. GRABOWSKI
AND MR. WOODS VOTING NO)

(MR. GIVENS ABSTAINING)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Michelle Madoff:

Question. Is it proper to introduce it as a resolution or does it fail for the year?

The Chair:

It fails for the year.

Michelle Madoff:

Thank you.

The Chair:

Your next order of business?

Michelle Madoff:

I have two pieces of information that I want to share with this Council.

As you know, there has been an extensive amount of work done on McCordle Roadway. It took seven years to do the bridge and there was no work on the sidewalk.

The other day coming down McCordle there were four high City trucks clearing ice away. I know of a major accident that took place on that Roadway, on the ice. Probably the City is going to have a lawsuit and it's not the City's fault. It appears that the Port Authority had a waterpipe they were pushing over the hillside, according to information from Mr. McDermott, and I think we ought to have somebody who heads that Committee — and at this point I don't know who heads that Committee, is that Mr. DePasquale? — look into the situation, because that man was found unconscious, so that we would not be liable for that piece of business.

On another matter. On the issue of the rental property that has been before this Council on Old Business referring to the proposal of putting the Water Department in the Allegheny Building, I want to share with Council what has transpired.

Mr. Evers, and there's an article incidentally in today's Press which will bring people up to date by Mr. Spatter but it doesn't have all the properties and all the prices. Mr. Evers has gone around

to various locations and has a whole list of people who are willing to give us space. Oliver Realty has three places, Mr. Eddie Lewis has a building right across from Kaufmanns. There's an offer, probably the best offer we have which is a ten minute walk, it's \$11 from Mr. Berger in the building that he's converting to a computer building.

But I couldn't understand why the Allegheny Building was willing to come down to two year and I thought that was a deal. Perhaps we might go in there just for that reason but we ought to look for the lowest rate. Well, it turns out that although there would have to be a tremendous amount of preparation, probably in the nature of \$200,000 no matter where we go, and that figure, incidentally of \$11 includes the preparation by Mr. Berger as opposed to \$14 by the Allegheny Building.

Once the Water Department goes in and brings in its computers, its telephone system, it's microfiche, there isn't any way in two years it would be expendable or financially logical for that department to move out. So, subsequently, that ten year lease in the Allegheny Building which does provide for an increase in taxes, and I guess every lease would provide for that, is definitely not the lowest bid.

Mr. Daryl Smith is saying that he prefers to be in the Allegheny Building for various reasons. He's saying that he needs a computer tie-in. We've checked and a computer tie-in can be anywhere in the City. My position is that we ought to take our own stock for \$200,000 in, fix up 8,000 square feet and pay no rent. We're talking about \$1 million in ten years; \$100,000 plus a year.

The fact that we have senior citizens coming in to pay their bills, their Water bills are paid downstairs in

the Treasurer's Office anyway, in the City County Building on the first floor, and I don't think he has one valid reason for not wanting to go to a building that will give us the lowest rate.

I want to share this information so that by the time the bill comes to us again, before Council, since Mr. Smith is being adamant in his position of going into the Allegheny Building, that all of us will look into the alternatives and understand that his thought of consolidating and being close to the City, just as close, within a ten minute walk, as it is anywhere else. I think Mr. Smith keeps a fine figure the way it is by that little walk; it will not hurt him any to come to our meetings. And I would strongly suggest that a, we use our own housing stock and b, if we're going to go out and rent, we certainly rent at the lowest rate that we can get within a ten minute walk.

Mrs. Masloff moved to excuse Mr. Wagner for absence from the meeting.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. DePasquale moved to approve the Minutes of Monday, December 16, 1985.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Grabowski:

Mr. President, I move to adjourn this meeting until next Tuesday, January 21, 1986 at 2:00 p.m.

Mr. DePasquale seconded the motion.

And on the motion of **Mr. Grabowski**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Tuesday, January 21, 1986

No. 3

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Tuesday, January 21, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Givens
	(Pres't Pro tem)

ABSENT: Mr. Woods

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. DePasquale presented

No. 66 Resolution providing for the issuance of a warrant in favor of

Conn Construction Company in the amount of \$57,195.82 in payment for Extra Work, being in addition to the original contract price of \$2,536,174.03 on Controller's Contract No. 27563, furnished for the benefit of the City in connection with the Reconstruction of the Pennsylvania Avenue Bridge, payable from the Pennsylvania Avenue Bridge Trust Fund. Prior approval granted.

Also,

No. 67 Resolution providing for the issuance of a warrant in favor of Crown Wrecking Company, Inc., in the amount of \$33,875.00 in payment for the demolition of a 3-story building located at 3715 Penn Avenue, payable from Code Account EC 85-53.

Also,

No. 68 Resolution providing for the issuance of a warrant in favor of Trumbull Corporation in the amount of \$3,826.21 in payment for Extra Work being in addition to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street-Phase I, payable from the Grant Street Trust Fund. Prior approval granted.

Which were severally read and referred to the Committee on Finance.

Also,

No. 69 Resolution providing for an Agreement or Agreements with the

Baltimore and Ohio Railroad Company granting the City license and permit to construct, maintain, repair, operate, use, alter, change or remove one (1) 30-inch ductile iron waterline enclosed in a 42-inch diameter steel casing pipe under property right-of-way, land and track at Valuation Station 7733 plus 10 in the City of Pittsburgh, Allegheny County. Prior approval granted.

Also,

No. 70 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting permission for Paul McDermott to attend the Small-Scale Hydroelectric Power Conference in Arlington, Virginia on March 11-12, 1986, at a cost not to exceed \$875.00, payable from Code Account 1482. Permission is requested for use of a City vehicle.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Grabowski for Mr. Givens presented

No. 71 Resolution granting unto Schwerd Manufacturing Company their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, pipe bollards along a portion of the sidewalk of McClure Avenue in the 27th Ward of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Also,

No. 72 Resolution amending Res. No. 1055, effective November 25, 1985, entitled: "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of a 250 CFM Air Compressor, Truck

Mounted, and providing for the payment of the cost thereof," by changing the Truck Mounted Air Compressor to a minimum 345 CFM, at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1612-2, Equipment.

Also,

No. 73 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of Litter Receptacles, at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account 1612-2, Equipment.

Also,

No. 74 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of the following pieces of equipment: Hydraulic Pipe Cutters, Plate Wackers, Electrical Sump Pumps, Ten 175 CFM Compressors, and Jumping Jacks (Rammmeers), at a cost not to exceed \$250,000.00, chargeable to and payable from Code Account 1612-2, Equipment.

Which were severally read and referred to the Committee on General Services.

Mrs. Masloff presented

No. 75 Resolution providing for the issuance of a warrant in favor of Scott Electric for various electrical items in the amount of \$376.74 furnished for the benefit of the City, chargeable to and payable from Code Account 1852, Miscellaneous Services, Department of Parks and Recreation.

Also,

No. 76 Resolution authorizing the issuance of a warrant in favor of Pennsylvania State University in the

amount of \$494.50 in payment for the purchase of books for the Commercial Applicators Training and Testing, furnished for the benefit of the City, chargeable to and payable from Code Account 1806, Materials, Department of Parks and Recreation.

Also,

No. 77 Resolution transferring \$200,000.00 from Code Account No. 1838, Miscellaneous Services, to Special Parks Program Trust Fund, SPPTF, Department of the Parks and Recreation. This transfer is necessary to provide advance money for performer Contracts and Salaries.

Also,

No. 78 Resolution transferring \$293,000.00 from Code Account No. 1843, Senior Citizens Program, to Senior Citizens Program Trust Fund, SCPTF, the Department of Parks and Recreation. The funds have been appropriated for the payment of salaries and for payment of leases in connection with the City of Pittsburgh's Senior Citizen Program.

Which were severally read and referred to the Committee on Finance.

Also,

No. 79 Resolution providing for Lease or Leases and/or License Agreement for use of certain property for Senior Citizen Center Facilities at a cost not to exceed \$125,000.00, chargeable to and payable from Senior Citizen Program Trust Fund (SCPTF), effective January 1, 1986.

Also,

No. 80 Resolution authorizing sale and subsequent issuance and execution of

a Deed of Conveyance of publicly-held property by City of Pittsburgh located in the 27th Ward of the City known as Odd Fellows and Rebekah Home for Western Pennsylvania property, 3515 McClure Avenue, Block 75-D-76, to Northern Area Multi-Service Center of Allegheny County, Pennsylvania, for the sum of \$1.00, and other valuable considerations together with all necessary and incidental expenses.

Also,

No. 81 Resolution providing for an Agreement or Agreements with the Pittsburgh Symphony to provide free concerts in Point State Park for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$98,750.00; \$75,000.00 chargeable to and payable from Code Account 1833, Recreational Activities, Concerts; and \$23,750.00 from Code Account 1837, Recreational Activities, City Wide Events, in the Department of Parks and Recreation.

Also,

No. 82 Resolution providing for an Agreement or Agreements with the Ozanam Cultural Center for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$45,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation.

Also,

No. 83 Resolution providing for an Agreement or Agreements with the Brashear Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed

\$10,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation.

Also,

No. 84 Resolution providing for an Agreement or Agreements with the Civic Light Opera for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation.

Also,

No. 85 Resolution providing for an Agreement or Agreements with The Sounds of Heritage for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$7,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation.

Also,

No. 86 Resolution providing for an Agreement or Agreements with Robert Morris College for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation.

Also,

No. 87 Resolution providing for an Agreement or Agreements with the Greater North Side Athletic Association for the furnishing of professional

services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation.

Also,

No. 88 Resolution providing for an Agreement or Agreements with The Homewood Brushton Stinger Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation.

Also,

No. 89 Resolution providing for an Agreement or Agreements with the Bloomfield Citizens Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation.

Also,

No. 90 Resolution providing for an Agreement or Agreements with The Arsenal Board of Trade for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation.

Also,

No. 91 Resolution providing for an Agreement or Agreements with The Western Pennsylvania Conservancy for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation.

Also,

No. 92 Resolution providing for an Agreement or Agreements with The Champions Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation.

Also,

No. 93 Resolution providing for an Agreement or Agreements with The Pittsburgh Opera for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$38,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation.

Also,

No. 94 Resolution providing for an Agreement or Agreements with the Uptown Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and

Recreation.

Also,

No. 95 Resolution providing for an Agreement or Agreements with the Uptown Little League for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation.

Also,

No. 96 Resolution providing for an Agreement or Agreements with The Pittsburgh Ballet for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation.

Also,

No. 97 Resolution providing for an Agreement or Agreements with Duquesne University for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation.

Also,

No. 98 Resolution providing for an Agreement or Agreements with The American Wind Symphony for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$25,001.00, chargeable to and

payable from Code Account 1833, Concerts, in the Department of Parks and Recreation.

Also,

No. 99 Resolution providing for an Agreement or Agreements with The Three Rivers Arts Festival of Carnegie Institute for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$12,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation.

Also,

No. 100 Resolution providing for an Agreement or Agreements with The River City Brass Band for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation.

Also,

No. 101 Resolution providing for an Agreement or Agreements with The YMCA of Pittsburgh for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$2,800.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation.

Also,

No. 102 Resolution providing for an Agreement or Agreements with The University of Pittsburgh for the Shakespeare Festival for the furnishing

of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation.

Also,

No. 103 Resolution providing for an Agreement or Agreements with various independent contractors for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account 1852, The Pittsburgh Zoo, Miscellaneous Services in the Department of Parks and Recreation.

Also,

No. 104 Resolution providing for an Agreement or Agreements with various independent contractors to provide instruction in connection with the 1986 Spring Session of the Preschool Program of the Department of Parks and Recreation, at a cost not to exceed \$21,000.00, chargeable to and payable from the Special Parks Program Trust Fund (SPPTF).

Also,

No. 105 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Betty Weber Hammer to attend the United States Tennis Association Tennis Teachers Workshop and Tennis Show in Atlanta, Georgia from February 5-9, 1986, at a cost not to exceed \$500.00, payable from the Special Parks Program Trust Fund (SPPTF).

Also,

No. 106 Communication from

Louise Brown, Director, Department of Parks and Recreation, requesting permission for Rupert Friday to attend the "Wildlife Management-Park Management—A Natural Combination" workshop at University Park, Pennsylvania, from February 5-6, 1986, at a cost not to exceed \$115.00, payable from the Frick Park Trust Fund.

Also,

No. 107 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Jennie Miller and Karen Jewett to attend the PACT Showcase '86 sponsored by the PART Foundation and Theatreworks/USA in New York City from March 3-5, 1986, at a cost not to exceed \$800.00, payable from the Special Parks Program Trust Fund (SPPTF).

Also,

No. 108 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Carl A. Mancuso, Alexis Merritt, Ross J. Rotunda and Craig Merritt to attend the Annual Legislative Conference and PRPS Meeting in Harrisburg on January 21, 1986, at a cost not to exceed \$185.00, payable from Code Account 1838, Bureau of Recreational Activities, Department of Parks and Recreation. Prior approval granted.

Also,

No. 109 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for John Impavido to attend a Swimming Pool Operators Course at the University of Pittsburgh for ten consecutive Tuesday evenings beginning on January 21, 1986, at a cost not to exceed \$100.00, payable from Code

Account 1801. Prior approval granted.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 110 Resolution providing additional benefits to the former employees who are beneficiaries of the City of Pittsburgh Policemen's Relief and Pension Fund, Firemen's Relief and Pension Fund, and Municipal Pension Fund who retired prior to January 1, 1986, shall be paid an additional sum of \$10.00 per month, payable from Code Account Nos. 55, Policemen's Relief and Pension Fund; 56 Firemen's Relief and Pension Fund; 58 Municipal Pension Fund-Old; Police Pension Fund Trust Fund (PPF); Firemen's Relief and Pension Fund Trust Fund (FRPF); Municipal Pension Trust Fund (MPF).

Also,

No. 111 Communication from Michael Perry, City Clerk, requesting authorization for Albert D'Alessandro and Peter Vaughn to attend the 80th Annual GFOA Conference entitled: "Spotlight on the Finance Professional", to be held in Los Angeles, California, May 31 through June 4, 1986, at a cost not to exceed \$3,200.00, payable from Code Account No. 1001-1, Miscellaneous Services, Supplies, Equipment, etc., City Council.

Also,

No. 112 Communication from Edward Walkowski, Manager, City Information Systems, requesting permission for Jane Downing, Teresa Lorince and D'Ann Swanson to attend an eight-week course for training in Lotus Computer software at the University of Pittsburgh from January 13 through

March 3, 1986, at a cost not to exceed \$495.00, payable from Code Account No. 1043.

Also,

No. 113 Communication from Richard S. Caliguiri, Mayor, requesting permission for George Whitmer to attend the Executive Meeting of the Pennsylvania League of Cities in Philadelphia, PA on January 16, 1986, at a cost not to exceed \$350.00, payable from Code Account 1017. Prior approval granted.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 114 Resolution providing for the filing of an Application (3) with the Pennsylvania Department of Community Affairs for financial assistance by the City of Pittsburgh for a grant of \$150,000.00 in connection with the rehabilitation of Market Square; providing for the execution of Grant Contracts for the filing of other data; creating a special trust fund in connection with the project; providing for the deposit of the funds in a bank account and providing for the payment of expenses from the special trust fund.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 115 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 10 by changing: From "M2" Limited Industrial District to "C3" Commerical District certain property located on the northerly side of BUTLER STREET between McCANDLESS STREET and FIFTY-FOURTH STREET, 10th Ward.

Also,

No. 116 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by S. Richardson Hartman and designated as Block and Lot 23-K-318 (114 Sampsonia Way) in the Deed Registry Office of Allegheny County, for the Fair Market Value, plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 117 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 21st Ward of the City of Pittsburgh designated as Block and Lot 22-K-287 (1422 N. Franklin Street) in the Deed Registry Office of Allegheny County, for the sum of \$1.00 plus all necessary and incidental expenses, under the Residential Land Reserve Fund.

Also,

No. 118 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for

Willia Holt to attend a seminar on "How to Manage the Office Staff" at the Pittsburgh Airport Sheraton on January 17, 1986, at a cost not to exceed \$165.00, payable from Code Account 1103. Prior approval granted.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 119 Communication from John Norton, Director, Department of Public Safety, requesting permission for George J. Burgman, Denise Haas, and Lilli Bisceglia to attend a seminar on "How to Manage the Office Staff" at the Pittsburgh Airport Sheraton on January 17, 1986, at a cost not to exceed \$600.00, payable from Department of Public Safety Third Party Payers. Prior approval granted.

Also,

No. 120 Communication from John Norton, Director, Department of Public Safety, requesting permission for John Norton, Louis DiNardo and Boyd Messinger to attend a Computer Aided Dispatching Consortium in St. Louis, Missouri on January 23-24, 1986, at a cost not to exceed \$2,500.00, payable from the Department of Public Safety Third Party Payers. Prior approval granted.

Also,

No. 121 Communication from John Norton, Director, Department of Public Safety, requesting permission for Louis DiNardo and Glenn Cannon to attend the 1986 International Disaster Management Conference in Orlando, Florida from February 6-9, 1986, at a cost not to exceed \$3,000.00, payable from the Department of Public Safety Third Party

Payers. Prior approval granted.

Also,

No. 122 Communication from John Norton, Director, Department of Public Safety, requesting permission for Glenn Cannon, Robert Kennedy, George Burgman and Douglas Garretson to attend the EMS Today Conference and Pre-Conference Workshops in San Diego, California from February 17-21, 1986, at a cost not to exceed \$8,000.00, payable from the Department of Public Safety Third Party Payers.

Which were severally read and referred to the Committee on Public Safety.

REPORT OF COMMITTEE

Mr. Pollock presented

Bill No. 123

Report of the Committee on Planning, Housing and Development for January 15, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 54

A Resolution entitled, "Resolution amending Resolution No. 578, effective June 25, 1985, entitled, 'Providing for a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the administration of the Bates Street Housing Development Grant and providing for the payment of the cost thereof' to provide for execution of an owner-grantee agreement for the project."

Which was read.

Michelle Madoff:

Excuse me, Mr. Chairman, I was out of the room are we voting on Mr. Pollock's bill?

The Chair:

Yes.

Michelle Madoff:

This Council voted and moved and I reminded the department heads repeatedly that we want to know the principals listed on the contract. Who are the principals? Mr. Pollock has told me — Is it in your record Mr. Pollock?

Mr. Pollock:

No, I told you that the principal is a corporation.

Michelle Madoff:

I know but — no, principals are not corporations. I want to know the principal owners in the corporation. That is the way this Council has voted in the past. We want to know who we are voting for in business so we know if they're responsible or not responsible. I believe it's Seymore Baskin. I have no problem with him. That is the law, Mike. That is something we're supposed to have in our bills and we're not getting it. This is 1986 let's start off right.

Mr. Perry:

Recommit the bill if you're not satisfied with it.

Michelle Madoff:

I'm not going to recommit it because I think it's important that we

move forward with it, but I'm just pointing out that in the future the department heads — maybe they need a refresher letter. You've been gone — saying how about remembering that Council members want to know who we're voting for. Would you please supply me with the information because I, Mike Perry do not have a crystal ball and then you can list on the agenda what the project is.

You know sometimes we talk about Lot 6604 and it happens to be the Beacon Street property or it happens to be the Butler's property. We want to know what we're voting on. We're not computers and we want to know who the principals are and we voted to do that. Now, let's do it.

Mr. Pollock:

Michelle, when you say principals are you saying share holders?

Michelle Madoff:

That's correct.

Mr. Pollock:

So, you would want all the share holders listed?

Michelle Madoff:

Principal share holders. Not the limited partnerships but the —

Mr. Pollock:

What if there are 20 equal share holders all holding five percent; you'd want all 20?

Michelle Madoff:

We don't get that. We've never had that that I know of in a project.

Mr. Pollock:

Mike, is there some kind of guidelines set forth that confirms what Michelle's talking about.

Mr. Perry:

Yes, each department head received copies of that. If there's principals involved that they should include the principals.

Mr. Pollock:

In other words you're able to find out who share holders are of a corporation?

Mr. Perry:

Yes, I'll call Paul Brophy --

Michelle Madoff:

I think what we want is not the limited partners but the principal partners in the corporation. I don't think we need a list of 100 people. Like, Michelle Madoff is in real estate because I'm a limited partner with a project that gives me \$3,000 a year. I'm happy to announce that as part of my disclosure I don't think that puts me in the real estate business, though.

Mr. Pollock:

Well, that begs a question though, that when these people start to enter into an agreement they should know up front that share holders names will have to be divulged.

Michelle Madoff:

Absolutely.

Mr. Pollock:

Because, one of the reasons for having a corporation is to protect the identities of certain people.

Michelle Madoff:

When we're voting with City money I want to know who's getting the money. Is it the same people all the time? I want to know, why? I think we all know why we want to know.

Mr. Pollock:

I'm not saying it's wrong, but I'm saying that it shouldn't be sprung on people at this late date. That's all I'm saying.

Michelle Madoff:

Mark, this has been the law of Council for years, and every now and again there's a lapse, and this bill lapsed which is why I called you, and Mike has been out ill. He has done a tremendous job, tremendous. He should be congratulated on the legislative agenda that we get, which never gave us any information he is now giving us a summary.

Even Lands and Buildings gives us one, if it's a side lot, we never knew it was a side lot, we never knew that the house was in such disrepair that that was why we were selling it for the price we were.

So, we would send bills back we just had no information. We voted in a vacuum and then we hold the bills up and it makes tripple work for this Council. If we had the information we would know ahead of time. I get copies of the bills I see who it is, do I feel they're a responsible person, yes I can vote for it, no I can't I want more information.

That's all.

I mean this business for example on the property of the Water Department. It turns out there's six people who have property available for where the Water Department can go, and it's a sad day that everybody's buying for the only contract that we have.

The Chair:

Michelle, if I might make a little note right here. This bill is a technical change in a bill that has already come before the Council and has been approved. Maybe, they might have given those names at that particular time. I really don't know.

Michelle Madoff:

I think you're right, Mr. Chairman, and the problem is that none of us are computers, and I don't remember who that person was. I thought it was Mr. Baskin, because I think I was directly involved in some negotiations where I talked to somebody, but I can't remember everything there's hundreds of bills in here.

The Chair:

We were in the middle of the roll call at this particular time.

Michelle Madoff:

We hadn't started yet. We had not started the roll call.

Mr. DePasquale:

Mr. Chairman, if I may I was about to ask the same question last week not in the same manner as Michelle Madoff, and I was ruled out of order by Michelle Madoff, but I don't want to get into that, but I just want to know if Council's

concerned with the merits of the bill and the principles involved? I think it's much more important to determine if it's a good bill and good for the City of Pittsburgh rather than who is involved unless we prove there's some gangster or whatever. I mean we're talking about decent, respectable people whoever they are, so if we're going to start naming names it just doesn't make sense. The principals yes. The National Development, you want to know the President, it's Seymour Baskin. If you start with all the stock holders, where do you end the thing?

The Chair:

I don't think that was the intent of Michelle. She wanted to know the principal owners of that particular piece of property. I think any Councilperson that wishes certain information be put in a resolution if they bring that forward, and there's five people on Council that approve that then that is what this Council will have, and the only alternative of that is the bill would be returned back to Committee.

Michelle Madoff:

No, I don't wish to return the bill back. I just wanted to reaffirm that starting 1986 under old business that we do old business properly and when one says that perhaps it is the quality of the work not who we're doing business with. I don't think we want to do business with South Africa. So, I think it's important to know who we're doing business with.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Givens
	(Pres't Pro tem)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Wagner presents

Bill No. 124 WHEREAS, the Detectives in the Homicide Section of the Pittsburgh Police Bureau have distinguished themselves in recent years with an outstanding record of "cleared" cases; and

WHEREAS, City Homicide Detectives ended the year with only one (1) unsolved slaying out of 33 committed in 1985; and

WHEREAS, the tremendous investigative work of our homicide detectives enables Pittsburgh to rank far above other American cities in the percentage of homicides solved; and

WHEREAS, this exemplary record is part of the tradition of excellence in providing safety protection for the lives of our citizens that has always distinguished the Pittsburgh Police.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes and commends the Homicide

Section of the Police Investigations Branch and the Detectives who have made Pittsburgh a safer place to live and raise a family with their unrelenting, careful and courageous investigative efforts.

Mr. Wagner moved to adopt the resolution.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Mr. Wagner:

Before asking Lieutenant Mullen to say a few words or Sergeant Flannigan, I'd just like to say that I think this record for 1985 not only reflects the Homicide Section but the entire Police Bureau itself. We all know that it takes the entire Bureau to solve crimes. It shows that they've been doing an excellent job, not only in 1985 but also in previous years.

Coincidentally, our number one rating that we received last year are related significantly to how safe our City is and I think this is reflective of the type of work that the police officers within the Police Bureau have been doing over the last several years to give us that excellent ranking.

So, I'd like to now congratulate Lieutenant Mullen and Sergeant Flannigan and ask them if they'd like to say a few words.

Lieutenant Mullen:

Often the police are criticized for what they do, what they fail to do. On behalf of myself, Sergeant Flannigan, and the 17 members of the Homicide Squad who worked so diligently to have accomplished this record, I'd like to thank the Members of Council.

Sergeant Flannigan:

President of Council, Councilman Wagner, and other distinguished Members of Council, I too would like to show our appreciation for this nice award that you have given us this resolution. I know that all the members of the Homicide Section who have in my mind an excellent record of solving cases because of their very professional attitude and their ability, and of course all the officers within the Bureau of Police who assist them in homicide scenes. I know they're very appreciative of this type of recognition, so thank you again.

Mr. Wagner:

The second resolution is for a gentleman that all of us know quite well, Mr. Joseph Natoli, and I'd like to ask him to step forward please. We've taken Joe out of his busy schedule at his — is it the first day at the new position or the second, third?

This Resolution is Resolution No. 4 and it is great honor that I present this Resolution.

Mr. Wagner presents

Bill No. 125 WHEREAS, Joe Natoli, formerly the Assistant Director of Maintenance for Citiparks, has completed his distinguished 35-year career with the City of Pittsburgh and has been appointed Director of Parks and Recreation for Allegheny County; and

WHEREAS, Joe Natoli is renowned throughout the Pittsburgh area as founder and coach of the Morningside Bulldogs football team from 1950 to 1979, compiling an amazing career record of 279 victories and only 19 defeats and winning the national Pop Warner Championship in 1955; and

WHEREAS, Joe Natoli's personal activities were reflected in his professional career as his entire working life has been dedicated to providing recreational opportunities for the people of Pittsburgh while helping to mold the characters of thousands of our young people; and

WHEREAS, Joe Natoli has received numerous civic and athletic honors including the 1959 Dapper Dan Award and the renaming of Morningside Field in his honor;

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh, offers our gratitude to Joe Natoli for his outstanding public service over the past 35 years which has left a unique legacy and an indelible mark on our City, recalls his particular commitment to our youth, and wishes him continued success in his new endeavors.

Mr. Wagner moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Wagner:

I'd just like to comment before introducing Joe, that Joe we're going to miss you. I know I am going to miss you here in the City, because whenever I had a problem in Parks the guy I called was Joe Natoli, and if it was possible Joe solved the problem for me and if he couldn't he'd tell me straight up if it was impossible.

Joe, has been with the City for 35 years. Joe, I didn't realize it was that long but we certainly — I know speaking

for myself for Council for the citizens of this City we are going to miss you very much, but at the same time we wish you a lot of success and we know the City's part of the County and we're going to be working with you in the County, so I congratulate you and wish you a lot of luck.

Mr. Natoli:

Thanks Jack, and I want to thank the Councilpeople here. You know everytime I get some kind of an award or we're talking about Parks people, Louise can tell you this they don't introduce me as a Parks worker they always say the Coach of the Morningside Bulldogs. You know it's just like being a professional all your life, but you're still a shoemaker, you know, and they never forget that.

I appreciate this very much and yes I'm over at the County I don't know what it's like yet I've only been there a day or so. They got their problems too, but I think with all the experiences that I've had in the Parks Department here in the City that I will be able to cope with it over there, and everything that I have learned over here I'm certainly going to incorporate it over there; and to all the Councilpeople of course I'll be seeing all of you around other places and other events, and I want to thank Louise Brown my former Director. I want to thank Louise for coming and just thanks to everybody in the City of Pittsburgh. Thank you very much.

Michelle Madoff:

I want to thank Joe personally for being the dear that he is. I know that we've had our little battles about getting trees. It took 20 years in some places but you know God can make the tree but Joe gets them planted. It may take him 20 years. I just want to know one thing Joe, will you still be in this building?

Mr. Natoli:

I'll be in the building in and out.

Michelle Madoff:

I want to watch the cigars at Christmas time.

Mr. Natoli:

You notice I didn't carry one in.

Michelle Madoff:

And they don't know what we're talking about and we're not going to tell are we?

Mr. Natoli:

No, no, don't tell that story.

Mr. O'Malley:

I'd just to say I think this Resolution is an honor well deserved. I've known Joe Natoli all my life and I sat in his house with him and I know his family and ever since I was -- Joe's not that much older than I am but ever since I was a young fellow I used to always look up to Joe and his family, and everybody in Morningside in the City holds Joe in the highest esteem. I'd just like to congratulate you personally, Joe.

Mr. Pollock:

Can I get a grove in North Park on the 4th of July?

Mr. Natoli:

You got it.

The Chair:

Joe, I'd like to add my bit of compliment to you. I think you and

Louise Brown have been a tremendous one-two punch in our Parks and Recreation Department of the City of Pittsburgh. When they mentioned the fact that Pittsburgh's number one you have to think of the new events that have been created in the City of Pittsburgh since Dick Caliguiri became Mayor and Louise Brown headed the Parks Department; and Joe I know Louise had to lean on your shoulder many times especially over the weekends and holidays, and so many of your people were working out there when the rest of the City was sleeping. I thank you from the bottom of my heart, Joe.

There is one note that I would like to bring forward to the Council and it had to do with this last weekend in the solving of a particular labor dispute, and I wish to congratulate primarily the Mayor of the City of Pittsburgh, Mayor Caliguiri and Members of Council, those who participated and all who intervened aided in the settling of a ten week labor strike.

The dispute involved over 400 and some workers primarily from the Service Employees International Union No. 29 and workers bargaining units and Office Buildings Association of Pittsburgh, Inc.

They announced their agreement on Friday the 15th and that was the first time these people have gotten back to work since September and there was no pay cuts, and I think that's to be commended of those people who all joined in on this.

This victory and by this I feel the spirit of Pittsburgh we can attribute this type of leadership and active involvement to our Mayor, Richard S. Caliguiri, the Mayor was cohesive force in bringing the leaders together. Leaders in every field, employees, employers, union officials, and our own City

government.

I feel this victory sets the pace we can expect from our Mayor and our City in the coming years, and this is a milestone as far as I have been concerned in this last particular negotiations.

Is there anything else to come before the Council?

Mr. Wagner:

Mr. President, Members of Council, since the topic has been brought up pertaining to the resolving of that labor dispute I'd just like to comment. I also, am very pleased that it has been resolved, but the situation is not as rosy as has been mentioned. True, all workers that are presently working under that contract will come back at the same wage and will have a wage freeze, but what has not been mentioned is that any new hires in that union will take approximately a \$3.00 an hour cut in pay and that goes from approximately \$7.30 to about \$4.20 or \$4.30.

I personally think that that was not significant in resolving a dispute in a union where you have a 30 percent turnover per year, and wherein a three year period or four year period of time you can have essentially all new workers in the union.

So, I also want to comment that even though I am pleased to see the people not on strike any longer I am not pleased to know that the wage that new hires will be forced to work at is not a just wage; and I say that publicly because I sincerely mean it. I think a cut in pay of \$3.00 an hour for new hires is simply not justified and it's unfortunate that that occurred.

Michelle Madoff:

Mr. President, tomorrow we had scheduled in this Council a post agenda on the Lincoln-Hays 16-inch water line which burst and did complete havoc to a huge community, wiped them out. One house was approximately \$30,000 worth of damage. The land looks like —

The Chair:

Did you cancel that Michelle or is that going to be on for —

Michelle Madoff:

I want to tell you what's happening. We had to cancel because the people we'd invited from the City are unable to come. We need the Water and Sewer Authority, they can't make it. We needed various principals in the City they can only come in for ten minutes.

Now, they have a film that they would like to show the devastation because now that the land is settled we've got sink holes and they're getting very slow response from West Penn Water.

Now, we have talked in this Council since I've been here almost eight years, other members have been here before I was here about acquiring West Penn Water because 30 percent of the people get subsidized or subsidized by City taxpayers so that everybody pays the same rate.

We need to see West Penn Water here. They're willing to come but what good is it if we don't have our own people here, and my office will certainly be presented, and then I'm going to hold a Press Conference on a very serious matter which relates to this, which is the Torte Immunity Bill meaning that people just aren't getting insurance and why,

and what the problems are.

But, we have a responsibility to those 30,000 people or 30 percent of the City and it seems that the City's has sort of washed it's hands of this saying well, all we do is subsidize it we don't have anything to do with repairing it. We don't have to worry about the lines or providing water, that's not right and I would like to set up — if the Clerk would please be responsible a meeting for these people to show their film. They have it on a video cassette, they're coming prepared to show it.

Perhaps a week from Wednesday and making sure that the principals who are supposed to be here namely Mr. Roddey, somebody from the Mayor's Office, and I think you have a list of all the other people who are supposed to be here Lou Gaetano, Richard Cosentino and certainly we wouldn't want to miss Mr. Daryl Smith. I would not want him to miss this wonderful exposition, because he feels that it isn't his responsibility I mean don't call me I don't deal with it, that's not my Water Department.

We, also need to get some body of people that are available at a moments notice if that leak takes place in Sophie's back yard in Mr. Givens' back year or our constituents back yard or Lincoln-Hays or some of the forgotten communities of the City, that they don't have to take a cab in the middle of the night or they can't afford to take a cab in the middle of the night; so they take public transportation at three in the morning, wake me at five, and they have to take two hours with public transportation to get to the yard, then they've got to get their equipment together as opposed to having a task force that can immediately go and shut off the valves.

Now, I've talked about this to the

Water and Sewer Authority people and they're about — according to the committee — Jack they're talking about doing this; are they not, Mr. Wagner? There is a movement to do something to have a stand-by emergency task force, but that doesn't include the West Penn Water people, and we've got to start working together, and I think when you see the havoc and the devastation on this film it could happen to any one of us.

Now, if we can't do it next Wednesday, Mike, then make it the following Wednesday, but I want to do it at a time and I want to be sure I'm here I want to be sure that everybody else is here.

The Chair:

Jack, you have one post agenda for 1:00 o'clock tomorrow?

Mr. Wagner:

Correct, scheduled for 1:00 o'clock tomorrow pertaining to the police boat operations.

Mr. Wagner moved to excuse Mr. Woods for absence from the meeting.

Mr. Grabowski seconded the motion.

Which motion prevailed.

And on the motion of **Mr. O'Malley**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX Monday, January 27, 1986

No. 4

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, January 27, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. DePasquale presented

No. 126 Resolution providing for the issuance of a warrant in favor of Casciato Brothers Contractors in the amount of \$7,500.00 in payment of Extra

Work, being in addition to the original contract price of \$498,645.00 on Controller's Contract No. 22888, furnished for the benefit of the City in connection with the rehabilitation of various streets and park roads with asphaltic materials, etc. - "B" Program, payable from Code Account PW 83-18.

Which was read and referred to the Committee on Finance.

Also,

No. 127 Resolution further amending Res. No. 567, effective June 27, 1977, as amended by Res. No. 692, effective July 29, 1980, entitled: "A Resolution providing for a Contract or Contracts or the utilization of existing Contracts for the rehabilitation of various City Streets, "B" Program including paving and providing for the payment thereof," by increasing to total project allocation from \$921,000.00 to \$929,750.21.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 128 Resolution granting unto the University of Pittsburgh, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a footer wall encroachment in a portion of the Right-of-Way of Sutherland Drive in the 4th Ward, City of Pittsburgh.

Also,

No. 129 Resolution providing for a Contract or Contracts or the use of existing Contracts for Concrete Slab Replacement at various locations within the City of Pittsburgh, at a cost not to exceed \$550,000.00, chargeable to and payable from Code Account PW 86-02, Concrete Slab Replacement Program.

Which were read and referred to the Committee on Public Works.

Also,

No. 130 Resolution providing for a Contract or Contracts, or the use of existing Contracts, authorizing the resurfacing of various City Streets and Park Roads with bituminous materials, including asphalt milling, planing, regrading, recurbing, and other work incidental thereto, at a cost not to exceed \$900,000.00, chargeable to and payable from Code Account PW 86-01, Citywide Resurfacing Program.

Also,

No. 131 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the rental and repair of equipment in connection with the City of Pittsburgh's Capital Construction Division, at a cost not to exceed \$155,000.00, chargeable to and payable from Code Account PW 86-12, Capital Construction Division.

Which were read and referred to the Committee on General Services.

Mr. O'Malley presented

No. 132 Resolution amending Res. No. 1230, Item I, approved December 27, 1985, which authorized the sale of property in the 20th Ward, being a 1 Story, Frame Shack, located at 1010

Coverdale Street, designated as Block 19-P, Lot 184, to Gregory V. Capozzi and Kimberly A. Capozzi, his wife, for the sum of \$1,000.00. The reason for the above Amendment is to correct the Treasurer Sale Act number from Act No. 514 of 1947 to Act No. 171 of 1984.

Also,

No. 133 Resolution amending Res. No. 1230, Item L, approved December 27, 1985, which authorized the sale of property in the 28th Ward, being a 2-1/2 Story, Frame house, located at 222 Pringle Street, designated as Block 67-L, Lot 161, to Roy R. Patterson & Concetta A. Patterson, his wife, for the sum of \$5,000.00. The reason for the above Amendment is to correct the Treasurer Sale Act number from No. 514 of 1947 to No. 171 of 1984.

Also,

No. 134 Resolution amending Res. No. 1189, Item C, approved December 26, 1985, which authorized the sale of property in the 6th Ward, being a 2 Story, Brick house, located at 3716 Liberty Avenue, designated as Block 26-B, Lot 13, to Raymond S. Schram & Margaret M. Schram, his wife, for the sum of \$2,500.00. The reason for the Amendment is to correct the Treasurer Sale Act from Act No. 514 of 1947 to Act No. 171 of 1984.

Also,

No. 135 Resolution amending Res. No. 1230, Item D, approved December 27, 1985, which authorized the sale of property in the 15th Ward, being vacant land, located at 219-223 Greenfield Avenue, designated as Block 54-N, Lot 312, to Robert L. Davis and Mary Ann Davis, his wife, for the sum of \$1,700.00. The reason for the above Amendment is to correct the date of

acquisition from June 6, 1949 to July 5, 1949.

Also,

No. 136 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sales in accordance with Act No. 514 of 1947.

Also,

No. 137 Communication from Ronald Schmeiser, Director, Department of Finance, requesting permission for Ronald Schmeiser, Stephen Schillo, James Turner, and Carolyn Marks to attend the Government Finance Officers Association's 80th Annual Conference in Los Angeles, California from May 31 to June 4, 1986, at a cost not to exceed \$5,900.00, payable from Code Account No. 1063.

Also,

No. 138 Communication from Ronald Schmeiser, Director, Department of Finance, requesting permission for Stephen Schillo and James Turner to attend a seminar entitled "Up-to-date Capital Financing" presented by the Government Finance Officers Association in Salt Lake City, Utah from February 9-12, 1986, at a cost not to exceed \$2,800.00, payable from Code Account No. 1063.

Also,

No. 139 Communication from Ronald Schmeiser, Director, Department of Finance, requesting permission for Ronald Schmeiser to attend the Winter Meeting of the Government Finance Officers Association's Committee on Governmental Debt and Fiscal Policy held in Washington, D.C. on February 23-25, 1986, at a cost not to exceed

\$350.00, payable from Code Account No. 1063.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 140 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 5 by changing: From "R2" Two-Family Residence District to "C1" Neighborhood Retail District certain property located on the southeast corner of BRIGHTON ROAD and GOE AVENUE and identified as Lot No. 120, Block 114-S in the Allegheny County Block and Lot System, 27th Ward.

Also,

No. 141 Resolution amending Res. No. 1079, approved November 29, 1979, entitled: "Authorizing the Mayor and the Director of the Department of City Development to enter into a Contract or Contracts with the Selick-Minnerly Group, Inc., for design work in conjunction with the Strip District Development Study," by decreasing the allocation from \$12,000.00 to \$6,169.41, chargeable to and payable from the 1978 Community Development Block Grant Program, DCD-78-2, in the Department of City Development.

Also,

No. 142 Resolution amending Res. No. 898, effective October 3, 1985, entitled: "Providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance with certain work in connection with the 1985 Community Development Block Grant Program, and providing for the payment of the cost thereof," by increasing the allocation from \$120,000.00 to \$133,830.59, chargeable to and payable

from CP-85-03, URA Planning & Management \$120,000.00; and DCD-78-2 "Strip District Study", Department of City Development \$13,830.59.

Also,

No. 143 Resolution amending Res. No. 1015, approved November 15, 1979, entitled: "Authorizing the Mayor and the Director of the Department of City Development to enter into an Agreement or Agreements with Hammer, Siler, George Associates for the Food District Development Study," by decreasing the allocation from \$25,000.00 to \$20,000.00, chargeable to and payable from the 1978 Community Development Block Grant Program, DCD-78-2, in the Department of City Development.

Also,

No. 144 Resolution amending Section 1 of Res. No. 43 of 1976, as previously amended, entitled: "Providing for the establishment of program categories for the Community Development Block Grant Program Trust Fund and the Model Cities Program Trust Fund," so as to decrease the program category "Parks and Recreation" from \$3,111,072.39 to \$3,109,509.44 and to increase the program category "Unspecified Local Option" from \$1,489,727.61 to \$1,491,290.56 (+ 1,562.95).

Also,

No. 145 Resolution amending Res. No. 1046 of 1976, as previously amended, entitled: "Providing for the filing of an application by the City with the U.S. Department of Housing and Urban Redevelopment for a grant in connection with the 1977 Community Development Block Grant Program," by decreasing several line items and adding the "Department of Engineering and

Construction-East Liberty Mall" project.

Also,

No. 146 Resolution amending Section 11 of Res. No. 1267 of 1977, as previously amended, entitled: "Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program," by decreasing several line items and adding the "Department of Engineering and Construction-East Liberty Mall" project.

Also,

No. 147 Resolution amending Section 11 of Res. No. 1549 of 1978, as previously amended, entitled: "Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1979 Community Development Block Grant Program," so as to reduce line items and further to "add the "Department of Engineering and Construction-East Liberty Mall" project.

Also,

No. 148 Resolution amending Section 11 of Res. No. 1228, effective December 31, 1979, as previously amended, entitled: "Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1980 Community Development Block Grant Program," by decreasing several line items and adding the "Department of Engineering and Construction-East Liberty Mall" project.

Also,

No. 149 Resolution amending Res. No. 1439 of 1981, as previously amended, entitled: "Approving the submission and budget for the 1982 Community Development Block Grant Budget," by decreasing several line items and adding the "Department of Engineering and Construction-East Liberty Mall" project.

Also,

No. 150 Resolution amending Section 10 of Res. No. 167 effective March 7, 1983, as previously amended, entitled: "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1983 Community Development Block Grant Program," so as to adjust several line items and create the "Department of Engineering and Construction-East Liberty Mall" project.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 151 Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 537, Philadelphia, PA 19105, in the amount of \$1,986.00, in payment for rental of equipment furnished for the benefit of the City, chargeable to and payable from the Department of Public Safety-Third Party Payers (DPSTPP).

Which was read and referred to the Committee on Finance.

Also,

No. 152 Resolution providing for an Agreement or Agreements with a consortium of municipalities hereinafter

"CAD consortium") for the purposes of jointly designing, developing, testing and implementing computer-aided dispatching (CAD) software for the Department of Public Safety, at a cost not to exceed \$30,000.00, chargeable to and payable from the Department of Public Safety Third Party Payer Trust Fund (DPSTPP).

Also,

No. 153 Communication from John Norton, Director, Department of Public Safety, requesting permission for James Gregorchik and Anthony Laush to attend the FBI Hazardous Device School in Huntsville, Alabama from February 16 through March 15, 1986, at a cost not to exceed \$3,900.00, payable from the Department of Public Safety Third Party Payers Trust Fund. Prior approval granted.

Which were read and referred to the Committee on Public Safety.

The Chair presented

No. 154 Communication from Charles T. Blocksidge, Director of Assessments, Board of Property Assessment Appeals and Review, County of Allegheny, submitting certified total assessments of land and building for the City of Pittsburgh for 1986.

Which was read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 155

Report of the Committee on Finance for January 22, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 5

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Trumbull Corporation in the amount of \$42,340.39 in payment for Extra Work, being in addition to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street - Phase I, and providing for the payment thereof."

Which was read.

Michelle Madoff:

On Bill No. 5 I'm going to abstain on the basis that you need to have a better scope of work when we outline our work and overruns.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

(MICHELLE MADOFF ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 6

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Noralco Corporation in the amount of \$37,959.04 in payment of an Emergency Contract for the stabilization of the rock ledge along Forward Avenue, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 7

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Consolidated Rail Corporation in the amount of \$3,827.55 in payment of

construction services during the Reconstruction of the Radcliffe Street Bridge as per P.U.C. Order A-00100801, dated July 8, 1985; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

(MRS. MASLOFF ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 8

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Tom Mistick and Sons, Inc., in the amount of \$1,400.00 in payment of Extra Work, being in addition to the original contract price of \$761,400.00 on Controller's Contract No. 27375, furnished for the benefit of the City in connection with the Building General - Phipps Conservatory - Phase II, and providing for the payment thereof."

Which was read.

Michelle Madoff:

On Bill No. 8 I need to do some homework on it and I'm not going to hold back the bill. It's a third party I believe, there were some contracts and firms to work out, and for personal reasons I'm going to abstain on that particular bill. I need to do some other work on it.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

(MICHELLE MADOFF ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 27

A Resolution entitled, "Resolution providing for the issuance of warrants in the aggregate amount of \$6,000.00 in full settlement of a claim for personal injuries by Todd Helfmann, a minor, and providing for the payment thereof."

Which was read.

Also,

Bill No. 28

A Resolution entitled, "Resolution providing for issuance of a warrant in favor of Microfilm Processing Lab, for film purchased for the microfilm machine without previous authority of law."

Which was read.

Also,

Bill No. 29

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of John G. Beck Insurance Agency in the amount of twenty six thousand three hundred and seventy dollars (\$26,370.00) for the extension of a surety bond securing the City Worker's Compensation Program."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the

bills passed finally.

Which was read.

Also,

Bill No. 30

A Resolution entitled, "Resolution providing for an Agreement with Dickie, McCamey & Chilcote, P.C. for professional legal services for the City Controller."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 31

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for consulting services to assist the City of Pittsburgh in acquiring State assistance and fundings, and to

work with various agencies of government for the benefit of the City of Pittsburgh, effective January 1, 1986, at an aggregate cost not to exceed \$25,000.00, payable from Code Account No. 1017, Index Code No. 101709, Miscellaneous Services, Mayor's Office."

Which was read.

Michelle Madoff:

On Bill No. 31, which is paying for a part-time lobbyist, I've stated my opposition to this consistently since we've voted for this in Council. I believe we should have a full-time lobbyist. I've had the opportunity to talk to our lobbyist about the fact that the county is of course not very happy about the idea or the concept of paying for a commuter tax.

The City is pushing for a commuter tax. How can one person have two bosses, one cannot have two masters, and I think the young man in question does a tremendous job for us Mr. Kolling, but my only reason for voting against this bill is a protest vote saying that we ought to have a full-time person working for us; and I would urge my colleagues to consider having Mr. Kolling work for us and not work for the county to subsidize the dollars and let him spend all the time he works for the county working for us. I think it would be very cost effective for us.

Now, we've seen where the county has spent -- I think in one year \$90,000 for a lobbyist and got a lot of money back that more than paid for their lobbyist.

Mr. DePasquale:

Mr. Chairman, if I may, didn't Councilwoman Masloff have a hold or resubmit motion on Bills 8 and 31?

The Chair:

No.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8

NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 32

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination Program for Police Officer candidates, Firefighter candidates, School Crossing Guards, Paramedics, and other candidates for employment and promotion; and providing for payment of the cost thereof."

Which was read.

Also,

Bill No. 33

A Resolution entitled, "Resolution providing for an Agreement or Agreements for specialized professional services in connection with conduct of negotiations and arbitration proceedings including labor relations advice, representation at negotiating meetings and economic and job evaluation advice, and related personnel matters, and providing for payment of the cost thereof."

Which was read.

Also,

Bill No. 34

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Laboratory or Laboratories, for providing professional services in connection with tests for City of Pittsburgh employees; and providing for payment thereof."

Which was read.

Also,

Bill No. 35

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Court Reporter or Reporters in connection with the taking of testimony at Civil Service Commission and Appeals Board hearings, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 36

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for professional services in connection with the research, preparation, evaluation, administration, and validation of Civil Service entrance and promotional examinations; and providing for payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 37

A Resolution entitled, "Resolution providing the amendment of a Guaranty Agreement with the Stadium Authority to include certain contractual obligations of the Stadium Authority as part of the City's guarantee."

Which was read.

Mr. Wagner:

Mr. President and Members of Council, Bill No. 37 it was indicated in Committee last Wednesday by our former Assistant Solicitor, Marvin Fein, and this bill pertains to the Stadium Agreement, that this legislation even though it's not clearly spelled out in it in addition to it guaranteeing the payment of \$852,000 from the City in addition to the Stadium Authority.

There's also one other item in this piece of legislation that guarantees even though it's not clearly spelled out and I find it difficult sometimes to understand why it is not clearly spelled out, but the agreement that we are making with Three Rivers Stadium Associates has with it as part of this legislation the guarantee re-zoning of the property that the stadium sits on along with the re-zoning of the parking lot property.

Whenever, the re-zoning of the parking lot property takes place in the future the re-zoning of the stadium property from the purpose which it is being used right now will be re-zoned to its highest potential use that's similar to the new parking lot re-zoning in the future.

First of all, I'd like to state that I voted for all the legislation that has come in front of this Council for the stadium deal transaction, whatever it's called. This is the first portion of those pieces of legislation that I don't agree with. This deal is continuing to be negotiated between the City and the proposed new owner of the stadium, and I think they realize being shrewd business people, being smart business people, that we are sitting at a disadvantage, and I think they're getting more out of this deal than was originally intended that they get out of this deal.

I never heard a guaranteed re-zoning of property at a far distant future to the highest potential use of that property, and that is what is being suggested here.

I don't think that we should be granting that to be quite frank about it. What we are saying if we are doing that is that come the year 2011 or prior to the year 2011 if we are to lose our sports franchises and we voted to change the intended use of that facility, if that were approved that that land could be used for another purpose for development. I don't ever want to see it used for another purpose even come the year 2011 other than a stadium.

I think we are suggesting if the situation develops that the land could be used for another purpose even if it's 25 years in advance. So, therefore, I have reservations pertaining to Bill No. 37.

I think as time goes on the City of Pittsburgh has become more and more vulnerable to the deal of not being beneficial to the City and more beneficial to the purchaser of the stadium.

I think the line has to be drawn somewhere and for that reason I cannot support Bill No. 37. If the bill includes and it's been told to me that it does include a guaranteed re-zoning of the stadium property for the future. I wanted to express that publicly and to get my points on record.

Michelle Madoff:

With all due respect to Mr. Wagner, I think your points are well taken. However, having hired an independent consultant costs us a lot of money this Council. I believe this item was explained and certainly I met with them privately and was thoroughly explained

to me that the best use of that land would be the benefit not only whoever might own that property the stadium at the time, but to this Council because we would be guaranteeing something like well over \$400 million that would come to the Council or whoever sits at that point, and I'm sure it will not be any of us at that point.

To build another stadium maybe in a more desirable location. I think we would be reimbursed sufficiently if we vote for this and it was already discussed. That has got to be the most complex creative financing thing, it takes an Einstein to understand it. I don't think the people working on it really understand it, but I think we are somewhat protected. I think your points are well taken and I think they should be on record, but I think the \$400 million would give us enough money to reimburse us, and that was the only reason I would not hold up or endanger the fact the taxpayers would have to pay \$4.00 a head instead of \$1.00 a piece if the bill doesn't go through.

Mr. Wagner:

I'd just like to make one final comment in regard to that. I don't think it should be the prerogative of this Council or this Administration to re-zone property for the future. That should be the prerogative of future legislative bodies and future Administrations; and I truthfully feel that that is what is being done here. I had never heard that ever. I've never heard that situation before in a Real Estate deal here at this Council. I think it is a first. I don't think it's a first that's in the best interests of that property.

If at sometime in the future that property is intended to be used for another purpose I believe that whoever the legislative body consist of will make

a fair and proper judgement for the people at that time. But, I don't think it should done until then and I continue to take the position that the purchasers of the stadium are very shrewd, very competent, very productive people in terms of understanding complex deals of this type; and as time goes on I think they are at a distinct advantage to get more out of the deal; and for that reason I would like to see the deal finalized as quickly as possible and no further legislation come in front of this Council.

Mr. Givens:

I'd like to make a couple of comments. One, as it was briefed to me that if we left the land under its present configurations the assessed valuation as the real estate people will look at it as the stadium versus that of using it for any type of major commercial use, but the difference is \$250 million versus about \$400 million over the life of the contract.

Now, that's one significant thing that we must look at and I don't know if this particular bill right here would destroy it, the whole stadium authority deal, but I think it just might. It just could so that's an emphasis that I'd like to add right there.

If I were to go into any real estate myself, personally and do it in behalf of the City I'd want to be sure that I could use that land to the greatest advantage that I could possibly use it to.

None of this is binding on the City because the City always has the option to come back and re-take the stadium. If the franchise would leave the City of Pittsburgh, and the year 2011 dear knows who would want that stadium or if we might even want to relocate the stadium in another location if that land, in fact, becomes more valuable as a commercial

development be it that of the stadium itself. I think this gives the Administration the options to do with that land today what they feel today is the best option for.

I could perceive that if down the line someplace development in this particular area that should be in concert with the stadium. If, in fact, these people are going to be running the stadium and owning the stadium then I think they should have the right to control what environment there is around that particular piece of real estate to enhance the atmosphere of people wanting to come to the ballpark, that's why I want to vote on this.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Woods
Michelle Madoff	(Pres't)
Mrs. Masloff	

AYES 8 NOES 1

(MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 38

A Resolution entitled, "Resolution

providing for the acceptance by the City of Pittsburgh of certain property in the 15th Ward of the City of Pittsburgh, for public greenway purposes at no cost to the City of Pittsburgh."

Which was read.

Also,

Bill No. 39

A Resolution entitled, "Resolution Repealing Resolution No. 726, Item J, approved August 8, 1985, which authorized the sale of property in the 27th Ward, being vacant land, located on Flora Street, designated as Block 115A, Lot 188, to Robert G. Lowe & Sheila M. Lowe, his wife, for the sum of \$3,000.00."

Which was read.

Also,

Bill No. 40

A Resolution entitled, "Resolution amending Resolution No. 1140, Item A, approved December 11, 1985, which authorized the sale of property in the 4th Ward, being a vacant lot, located at 2459 Fifth Avenue, designated as Block 11-M, Lot 125, to Roy C. Wright, for the sum of \$300.00."

Which was read.

Also,

Bill No. 41

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sales in accordance with Act No. 514 of 1947, as amended."

Which was read.

Also,

Bill No. 42

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sales in accordance with Act No. 514, as amended."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff:

Mr. Chairman, on all bills you were not here on Wednesday and the issue of again came up of the principals not being — not all the stockholders just the principals that we voted on repeatedly that we'd know who we're voting for — and Mike just informs me that the problem he has is that when the bill comes in and says Joe Blow Company and

it doesn't give the principal he doesn't know what to do. He wants the right to be able to send it back to say just straighten it out.

The Chair:

Take care of it, Mike.

Michelle Madoff:

We essentially gave him that authority but he wants it confirmed.

The Chair:

He has it. You have it Mike from before.

Mr. Givens presented

Bill No. 156

Report of the Committee on Public Works for January 22, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 15

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Department of Environmental Resources of the Commonwealth of Pennsylvania for a grant in connection with the 1986 Rodent Source Elimination Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the 1986 Rodent Source Elimination Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized

signatures; permitting the continued use of the Rodent Control Trust Fund; providing for the deposit of the funds in a bank account; and providing for payment of funds from the Fund.

Which was read.

Also,

Bill No. 16

A Resolution entitled, "Resolution granting unto Warner Center, its successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a sidewalk elevator and vault on a portion of Forbes Avenue in the 2nd Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 19

A Resolution entitled, "Resolution adopting official sewage facilities plan revision for Monongahela Townhouse Plan."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods

Mrs. Masloff (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 157

Report of the Committee on Planning, Housing and Development for January 22, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 53

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority to acquire all of the City's right, title and interest to publicly owned properties in various wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County Block and Lot Numbers mentioned therein."

Which was read.

Michelle Madoff:

Mr. Chairman, on Bill 53 the Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire various properties. We heard from so many people -- you know I did that six month study on City properties and now that we're listing them on cable we're getting a tremendous result in sales even in these hard times, but what we're getting is a lot of people questioning properties that are going

from Lands and Buildings to URA, and I think it might be advisable if when URA is going to enter into the purchase of land they tell us what the purpose is for. Could they say why they're acquiring this land. Just to add I would like to amend the bill to state that they would give us the reasoning for purchase of the property.

That's a motion to amend that bill to include the reason.

Mr. Pollock:

Mr. President, it is in the bill. Line 2 of Section 1 for the purposes of the Urban Homesteading Program.

Michelle Madoff:

That is really very nebulous. That's a generic term. What we find is frequently there's some master plan that somebody wants to buy a house and nothing happens for four or five years. What project are they going to work on? Define, more clearly the specific project. It's been a generic term.

The Chair:

In the future ask them to define it more clearly if they can.

Also,

Bill No. 56

A Resolution entitled, "Resolution providing for an Agreement or Agreements with consultant(s) to provide new base maps of the City of Pittsburgh and incorporate them into the Land Records Management System and to purchase equipment therefor, and providing for payment of the cost thereof."

Which was read.

Also,

Bill No. 114

A Resolution entitled, "Resolution providing for the filing of an Application (3) with the Pennsylvania Department of Community Affairs for financial assistance by the City of Pittsburgh for a grant of \$150,000.00 in connection with the rehabilitation of Market Square; providing for the execution of Grant Contracts for the filing of other data; creating a special trust fund in connection with the project; providing for the deposit of the funds in a bank account and providing for the payment of expenses from the special trust fund.

Which was read.

Michelle Madoff:

On the Market Square Bill, did anybody or did everybody read the editorial that said if it isn't broke don't fix it, that Market Square is fine just the way it is, and that we ought not to be spending any money on it? I would like to resubmit that bill for consideration whether we should be spending the money, because the question was asked by Mr. Wagner at the time whether that money would take away from other parks and unless there's a resonable answer and I'm willing to listen to one I would like to hold it a week.

The Chair:

You're making a motion to hold for one week?

Michelle Madoff:

To hold for one week.

The Chair:

Is there a second to that motion?

No second the motion dies.

Michelle Madoff:

May I have a clarification?

Mr. Pollock:

I just wanted to explain to Michelle that all this legislation is doing is asking for a grant from the State for Parks money. That's all it is doing. It has to be submitted this week if it's not submitted this week the money is lost to the City for the year. This does not address the merits of the Market Square work. That will still come up when we get to the allocation of the money that was approved in the budget. You can then address the question of should in fact, the work be done. All this is doing is giving us \$150,000 grant that we must apply for this week or it will be lost.

Michelle Madoff:

I understand that but I think it would have been better to say we're applying for money's for Parks and not specify Market Square. That might have been a better way to go at it, because they're saying this is exactly what we're going to use the money for. We're going to use it for Market Square. That's what we were told when we were here.

Mr. Pollock:

It does say it for Parks, Michelle.

Michelle Madoff:

Pardon me.

The second paragraph says Market Square.

Mr. Pollock:

Read the third whereas clause.

Michelle Madoff:

Well, the second one says Market Square.

The Chair:

Let's quit exchanging back and forth. Address yourselves to the Chair, please.

Michelle Madoff:

Mr. Chairman, the bill on the second paragraph says, "Whereas, the City of Pittsburgh after thorough consideration has determined that the rehabilitation of Market Square is desirable." I think the Chairman might want to caution the Committee when they're soliciting funds for Parks in general if it's indeed to be used for Market Square and we were informed that that's what the money was for.

The Chair:

Well, I think he explained it sufficiently for myself anyway. The money is an application for the money and the third paragraph does say Parks.

Michelle Madoff:

Well, I'm not sure that we don't have to use it for Market Square, Mr. Chairman.

Mr. Wagner:

I'd just like to follow up on what Mr. Pollock indicated. If, in fact, we get the grant and at a later time there is an intention to change the use of money, that can be accomplished for another location with the approval of the state government.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 158

Report of the Committee on General Services for January 22, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 21

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts, for the purchase, installation and programming of a bar code system for the City of Pittsburgh, Department of General Services Warehouse, and providing for the cost thereof."

Which was read.

Also,

Bill No. 22

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts for the furnishing and delivery of motorized fire equipment for the Department of General Services, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 159

Report of the Committee on Public Safety for January 22, 1986 transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative

recommendation,

Bill No. 26

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Six - Conduct, Article I, Regulated Rights and Actions, Chapter 601, Public Order, by adding subsection 601.09(d) to provide that no person shall smoke in the Council Chamber of the City of Pittsburgh." — (SPONSORED BY MICHELLE MADOFF)

Which was read.

Michelle Madoff:

Mr. Chairman, I think some clarification again and you were not here when the bill came up on Public Safety. I was asked by some media people whether this bill was directed at you from me to you the answer is absolutely, no.

John Norton, was asked by me our Safety Director to please put out his pipe. I asked him because Mr. Givens sitting in the seat at that corner is walking around and saying he was having trouble, that the air was very stuffy. I asked Mr. Givens at the time whether — I said I'm going to introduce my bill on no smoking, which I introduced last year and the year before, he said wait until after Mr. Robinson leaves and we'll do it then, because Mr. Robinson smokes a pipe it would be in bad taste to do it, and I agreed with him I said you're absolutely right, and let me just clarify what I stated the last time.

The way the thermostat works in this room as you noticed we came in it was cold, Mr. Perry turned up the heat so we could warm up the room we got to warm he turned down The thermostat is fine. I do not have any problem with that. I have a problem when the room is

occupied, we're sitting at this table, the lights are on us, the two people sitting at the end of the table were Mr. Wagner and I'm not sure who else it was, but they had to take their coats off it was so hot from the flood light. If you keep the heat at 74 degrees — lights generate heat.

The U.S. Steel Building works on waste heat, body heat, on lighting heat and so on. You must take into consideration the overhead lighting. If we keep that thermostat at 68 degrees or 65 degrees and take into consideration the heat we will have from the lights we'll have enough heat to keep us warm when it isn't as cold out and there are more people.

The problem is in order to get more ventilation in the room. What happens is the switch is put on and the switch is occupied or unoccupied, and on the occupied switch we don't get a difference of temperature. So, we get air conditioning so that in the middle of winter we're having drafts blowing on us and I've been out ill a number of times. You've had a severe cold, Sophie Masloff's had colds, others of us have been ill, and I'm trying to avoid having a draft on my body, and according to Robert's Rule the comfort of Council takes precedent over everything.

Now, I think we resolved the problem by turning down the thermostat and I would respectfully point out that as Mr. Pollock has stated if we want to conduct this body and change our image somewhat to make it appear somewhat more like a court, we should conduct ourselves in a business professional manner, and in court you're not allowed to smoke or drink or have coffee and have sandwiches and so on. As a matter of fact, the day I tripped and hurt my arm, which will never be right somebody spilled some liquid right near the cord.

Now, I repeat this was not designed at anyone or against anyone, and I do want to point out to Mr. Givens that he's been the recipient of heart surgery which is no joke. He's been away from this Council. He's had bypass surgery and one has to have one ounce of brains to read anything to know that smoke is very detrimental to one's heart and to anybody who has cancer; and I can't imagine that Mr. Givens being a man of honor and I've always known him to be a man of honor to have the public interests at heart, but said one thing to me one time and then not vote for having a bill even if he likes pipe smoke or whatever and not vote for the smoking bill.

We're one vote short. I would ask the Chair, who is doing a very commendable job as President to be a gentleman and to vote. When Mr. Norton has put out his pipe and others have to support no smoking. You can always take a smoke break for a couple of minutes, and I respectfully ask those who voted against the bill to reconsider and to give us the fifth vote.

Mr. Pollock:

Mr. Chairman, I would like to emphasize something that I brought up both at the Committee meeting and throughout all the discussions involving this issue, that is that this is not a smoking issue, it's not a ventilation issue, it's not a heat issue. In my mind and the minds of many people who have called me and expressed support for this legislation, this an issue of respect for this body and respect for this Chambers.

I find it somewhat ironic that this body sits and determines what individuals can or cannot be affirmed to serve as Magistrates in the City Court and Traffic Court. This body sits and determines the budget for the City Court and Traffic Court and Magistrates Court

and those halls do not permit smoking in them, yet we can sit here and smoke while deliberating on decisions effecting those bodies.

We are asking for individuals who come into this Chambers to show respect for us and I think that we in turn should respect them by not smoking and not permitting smoking in this hall.

Mr. DePasquale:

Mr. Chairman, I also would go on record to saying that it's not a personal issue my voting no. Sometime ago there was a no smoking ban in restaurants proposed and I led the fight to defeat it on the grounds that it was an infringement of people's rights, and I stressed then that if you were in a restaurant and the maitre d' or someone was told that someone was smoking and it offended you that they would go over and tell the party not to, and in most cases 99 out of 100 they would quit smoking, and I think that the same can hold true in City Council.

That if someone is smoking and someone feels that it is bothering them and if it is bother their health I can understand why they would ask that they put their cigarette or cigar or whatever down and they probably would. But, just to say they can't smoke, they're not allowed to smoke, it's giving them a censorship as far as I'm concerned or similar to censorship and I would say again that I won't impose on anybody's rights and I don't expect anybody else to, and I would vote no on the issue.

Mr. Grabowski:

Mr. President, prior to my coming to Council I think most of you realize that I was a Member of the House of Representatives, and there was a similar ban that the House of Representative

adopted in its rules, and my recollection was that that provision was nothing but chaotic and disruptive when the House was in session.

There are those that are very adamant about smoking and it's just not worth the trouble to try to prevent them from doing it, and I can see the same thing happening here in these Council Chambers. I don't think it's worth it and we should just leave well enough alone.

Mr. Givens:

Well, from what Mr. Depasquale said even though I sat next to Bill Robinson and was a person who inhaled most of his contaminants that some people would consider it to be, I still feel that that individual has the right to do what he wants to.

In my time I have never sat next to any person that I asked them to put out their cigarette or cigar or pipe, whatever the case might have been in a restaurant or a bar or any other place that they did not comply with my wishes, and I think that's where it should lie.

If smoke does bother certain people and it's generally right when you're next to that individual, and I think that is a personal commitment between the individual and the person sitting next to him as to whether or not they're offended or not offended.

The ceilings in this Chambers must be 40 or 50 feet high, you know our meetings are generally an hour and a half maybe two hours at the most and it can accommodate anything. I never had no problem with smoke in this Chambers.

What I did have a problem with was heat and heat bothers me quite a bit, not the smoke in the room. On two occasions maybe when we had the five,

six hour meetings with the capacity filling of the hall with absolutely no windows opened and no circulation for five or six hours yes, I think that type of condition would get to anybody, smokers, non-smokers, people that have problems with their lungs, etcetera, and that particular situation was pretty critical for everybody.

Hopefully, if the temperatures remain at federally regulated temperatures of 68 degrees I'll have no problem.

Michelle Madoff:

You know, I love the rhetoric that is going here today including mine. Everybody's saying I didn't mean what I said when I did it and I didn't mean my actions. I'm confessing I got up and it was a game, people were watching us on television and laughing. I turn down the thermostat or the occupancy you go put it on, I turn it down you put it on, on and off, on and off, it became a joke and if you think that doesn't lend to the perception of the circus image and the zoo image of this austere body you're wrong, and I would like to avoid that, and I think when you say only when we have a hearing then it bothers me, then you have the right to get up and say it's bothering me only in certain times. Why don't we just have rules?

This body passed an ordinance that says no smoking in elevators. That's in this community we passed it, but we're going to smoke in Chambers and tell people they can't smoke in elevators — and as my colleague Mr. Pollock said the issue is not one of smoking or one person offending another.

Although, I will tell you if you want to bring it to that level I'm an asthmatic and smoke bothers me. I'm asking as someone that is bothered by smoke

please not to allow smoking in the Chambers. Did you want to bring it to that level, then I will personalize it.

In response to Mr. Depasquale, in the same way that one has the freedom under the First Amendment to practice their right to smoke. I don't think you put that in the same category as freedom of religion. When somebody is smoking they may have the right to smoke, but I don't have to be mandated to inhale the smoke because the smoke is in the room, and I think that adds some infringes on the rights of those who don't smoke, who are forced to inhale that smoke.

Again, it appears that Mr. O'Malley and Mr. Woods have the option to give us or not give that fifth vote or the others to change their mind.

Mr. DePasquale:

I have to make this comment. Michelle, you sat next to Mr. Robinson or two seats away from him and I don't recall you one time asking Mr. Robinson to quit smoking.

Now, if it didn't bother you then, why does it bother you so much now? Weren't you an asthmatic then?

Michelle Madoff:

I will address the Chair. Mr. Depasquale, has not been here for a while so he may not remember, but I have consistently introduced no smoking bills in this Council. I introduced it last year and it failed. I reactivated the same bill with the promise of support by Mr. Givens. I don't think that he is going to honor that commitment to me; will find out when we vote.

Mr. Wagner:

Mr. President and Members of

Council, in regard to this Bill I don't think its going to be earth shattering no matter how it's voted on up or down, but I am happy to see that my colleagues are attempting to make the decorum of Council much more professional in this sense, and if its no smoking that it takes to accomplish that I support the legislation.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Pollock
Mrs. Masloff	Mr. Wagner

AYES 4	NOES 5
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VOTING NO:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Woods
Mr. Grabowski	(Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also,

Bill No. 60

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a psychologist or psychologists for professional psychological services for the Department of Public Safety; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 160

Report of the Committee on Engineering and Construction for January 22, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 10

A Resolution entitled, "Resolution amending Resolution No. 559, effective June 21, 1982, entitled: 'Providing for a Contract or Contracts for the Reconstruction of the existing retaining wall on Gomer Street at Greeley Street, including work on private property and other work incidental thereto; and providing for the payment of the cost

thereof,' by decreasing the total project allocation by \$10,782.64."

Which was read.

Also,

Bill No. 11

A Resolution entitled, "Resolution amending Resolution No. 1198, effective December 16, 1977, entitled: 'Providing for the letting of a Contract or Contracts for the construction of a new swimming pool and community room in Banksville, and providing for the payment of the cost thereof in an amount not to exceed \$500,000.00 in the Department of Parks and Recreation,' by decreasing the total project allocation by \$5,543.00."

Which was read.

Also,

Bill No. 12

A Resolution entitled, "Resolution amending Resolution No. 592, effective July 9, 1985, entitled: 'Providing for the creation of a Trust Fund; providing for a Cooperation Agreement or Agreements with Allegheny County for the County's share of the Rehabilitation of the City-County Building Roof; providing for a Contract or Contracts for said project; and providing for the City's share of said project,' by reducing the authorized amount of Contract by \$96,000.00."

Which was read.

Also,

Bill No. 13

A Resolution entitled, "Resolution further amending Resolution No. 760, effective September 6, 1983, as amended

by Resolution No. 860, effective October 15, 1984, as amended by Resolution No. 1088, effective December 4, 1985, entitled: 'Providing for a Contract or Contracts, or the use of existing Contracts, for the rehabilitation of Playgrounds at various locations to be determined; and providing for the payment of the cost thereof,' by correcting the total project allocation by correcting the total project allocation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

I would like to make a motion Mr. Chairman. That this Council receive a list from all the Authorities and Boards and Commissions of all the employees. I believe we get them from a couple of the Authorities.

One, is the Water Authority they provide them every year. I'd like to amend it to include, every new appointee and every sponsor including those of this City Council.

There was an error made on my appointee here. Mr. Perry thought that I had okayed. My turn came up and there's somebody appointed, but I want that on all Authorities, all Commissions, all Boards to follow the name of the person who is appointed and the sponsor. I want to watch that very carefully. Do I have a second on that? I think under law we're entitled to it anyway. It's nothing we really vote on.

Mrs. Masloff seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES 1

(MR. GRABOWSKI VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. DePasquale:

I don't know about other boards

Michelle, but ALCOSAN sends a list over

The Chair:

It sends it in every year so does the Housing Authority. They all do it.

Mr. Depasquale:

Well, I'm just saying don't all the rest send them over?

The Chair:

Yes, they do. Yes, everyone sends it over but just make sure everyone gets a copy this time, Mike.

Mr. Pollock:

This past Wednesday during our Committee meeting Bill No. 55 pertaining to a zoning change for certain property bounded by Troy Hill Road was referred to you as the Chairman of the Committee on public hearings to be set down for a public hearing. I at this time would like to make a motion that this public hearing be held at a building in the area in the evening so that residents of that area can attend the public hearing and have their opinions on this proposed zone change be heard.

The report of the Planning Commission states that there are eight responses relative to this in addition to that, I have received telephone calls from people who are either in favor or opposed to this proposed change.

Two of the people stated that they are unable to attend the hearing downtown because of health reasons. So, in light of that and in light of my desire to take Council hearings to the people and in the neighborhoods I would move that this hearing be held in the neighborhood and in the evening.

I have been in communication with the American Legion in Troy Hill. They would provide space for this public hearing at no charge. They have the requisite microphones and tables and it is located in a convenient area to the people affected by this proposed zoning change.

The Chair:

Is that in the form of a motion?

Mr. Pollock:

Yes, I move that this hearing be held in a location in the evening at a site near the proposed zone change.

Mrs. Masloff:

Mark, is that one that dealt with the historic —

Mr. Pollock:

No, this is a zone change.

The Chair:

Mark, I am almost positive and I am new at being President of Council, two weeks, that I set the places, times, and dates of all hearings and seeing that that is my duty I will not honor your motion. I will set the times and places of all hearings and the place of all hearings will be in City Council Chambers.

Mr. Pollock:

My reading the Home Rule Charter states that you schedule the hearings as far as time but not as far as location.

The Chair:

As far as Council Rules, I believe unless I'm wrong we can check it out and

we can bring this up later at next Monday's meeting, because I'll set the time of the hearing anyway.

I believe under Council's Rules I set the time and place and I am not and I'll tell you up front going to have any hearings outside of City Council Chambers. It's too much of an expense. It will be chaotic and if you want to talk about a circus when we get outside this Chambers that's when it will really be a circus. We have enough time controlling people in this Chambers let along outside this Chambers.

Mr. Pollock:

Mr. President, why would there be any difference in as far as peoples conduct inside this building or out? I've been present at many public hearings where the conduct left a great deal to be desired, and I don't think it would make any difference where this public hearing was held. Where any public hearing was held in so far as the public's conduct; and number two, as far as cost, why would there be any greater cost if we are able to obtain locations that do not charge for the rental of the facility?

The Chair:

We have to pay our staff to work overtime to travel. We have to bring stenographers. We have to have two stenographers. We have to have a policeman. We have to have access to the copy machine, any other material that the people might want at a public hearing. Any of our colleagues that want something right a way, are we going to take all of our files with us, we just can't do that.

Mr. Pollock:

Why, would you have to have all of the files? All you need are the files

relevant to that hearing.

The Chair:

Mark, there have been many many times that courses come up in a public hearing and some Member of Council asked the City Clerk to check this out, or we need a Director of a certain department to come up, somebody else from another department. We'd have to bring Director's with us and everyone that knows about the public hearing, which we have them right here and we have hands on available.

Mr. Pollock:

I think you should consider the fact that when you restrict the public hearings to the City-County Building during daylight hours that you're really not getting a fair reading as to the public sentiment regarding that hearing.

The Chair:

Mark, I didn't say just during daylight hours. Many times we had public hearings in the evening and I'm not against an evening public hearing. I am against taking the meetings out of this Chambers and I'm not going to discuss it any further. That's my decision at this time.

Mr. O'Malley:

Well, on this one issue I agree with the Chair on this issue I think all official public hearings should be held in Council Chambers where we have access to all documents and all the equipment and to our staff, but I see no problem in holding the community hearing, Mark.

Many times on important issues to this Council that there can be a hearing set up and an official hearing set up at the American Legion in Troy Hill, and

I've attended many of them on Banksville Road concerning the Port Authority. I would be glad to attend an evening hearing in Troy Hill myself.

The Chair:

A community hearing?

Mr. O'Malley:

Right, but I think all official hearings should be held in Council Chambers whether they be in the afternoon or they be in the evening, but I have no problem attending a community hearing in the evening where the community people can make their position known to all of us.

Michelle Madoff:

I might remind this austere body that the Mayor sends out his people and staff and all the material he needs to go into the area before the budget to hear from the people and they're held in the communities. If the Mayor's staff can do it we can do it as well.

But, I think it's really a much more serious issue and that it isn't humanly possible and Mr. Pollock is relatively new to this body. To hold every single hearing that everybody would like to have — I remember a time when Mr. Givens particularly would have a — and I'm probably as guilty we'd have a post agenda almost every week. We really have to work on prioritizing our hearings. I think the fact that my bill passed to have Council on cable has gone a long way to letting people know what goes on in this body.

Unfortunately, I think our efforts would be better spent if we could get the post agenda's televised and the public hearings televised, so the people would really know what goes on because they

don't really know what goes on. We say bill number so and so, and so and so, and it's just quickly passed over. They don't really know where the gut of the decision making is made.

The day we had a hearing on the Minority Contracts this room it was packed with 300 people and the Black leadership got up and said this City will burn if you don't give us our quota, but that wasn't on cable. Nobody knew what was going on. It wasn't reported in the media, and I'm just pointing out that perhaps we have to prioritize where our battles are going to be with this Council, and as the Chairman said if you want to hold a meeting in a community, I do that all the time, we all do that.

I'm going out on West Penn Water, they called me at 5 in the morning I went out the next afternoon on Sunday. We're going to have a post agenda in this Council. It's been postponed three times.

What might get back to the point of a bill that I introduced last year, and that we have on routine matters and I repeat routine matters not the buying or selling of a stadium or a Pirate Team, but on a zoning issue. Three people representing Council whose job would be to be there and if they couldn't be, they could trade off with somebody else or they have to be there.

When you're talking about when they're going to re-zone some lot and you have no opposition or two people opposing there's no reason for us all to be here. We don't get any work done in our offices. We don't have time to address the people's business. That might be a way that we ought to go and might discuss that at the meetings, that you've scheduled I believe today. Are we having one today?

The Chair:

Next week.

Michelle Madoff:

When, starting next week they're going to be after our Monday meetings? That's the kind of item we ought to be discussing to try to resolve some of the problems.

Mr. Pollock:

Mr. President, I might remind the Members of Council, that this is a public hearing not on the basis of 25 signatures acquired, but this is one mandated by our City Code. This is a zoning change, this is not an optional one.

Number two, it's my understanding that the employees of City Council who admittedly work very hard are not hourly employees, but are on salary and as such there would not be a question of overtime payment but they would be expected to attend whatever sessions that Council may have.

The Chair:

No, they are hourly employees. The only ones that's not hourly employees are our own personal staff and the budget staff. When they work overtime they get comp time.

Mr. Pollock:

The idea of having community hearings in the neighborhoods is fine and I'm not saying that's not something that should be done, but legislation that effects an areas livability, legislation that effects a neighborhoods zoning classification, that many people would like to testify at to require them to have to come downtown. Whether it be in the afternoon the morning or the evening,

expend sums of money for parking for getting downtown possibly hire a babysitter or so forth. Whatever else is involved restricts the quantity of people that can come down to watch the Council session to have their voices heard.

I respectfully request that the Chairman of the Committee on Public Hearings consider taking some of these hearings in the neighborhood. I would be happy to Chair a sub-committee on examining this in so far as the cost involved the convenience the availability and I think it's something that we should consider. I think there's a great deal of public sentiment behind this.

The Chair:

Mark, I gave you my answer once and I'm giving it to you finally, no, and thank you.

Mr. Wagner:

Mr. President, I think the question of consideration is maybe a genuine request and knowing that you Chair the Committee on Hearings and looking at the Charter of the City it does clearly indicate that your responsibility is to schedule public hearings with Council and preside at them.

Whether or not the location is defined in that is an unknown factor in my mind anyway and maybe that is indicated in our rules.

The Chair:

I believe it is and as I stated in the very beginning it's not completely clear to me, but the way I read it is that I do think I have that authority and I'm exercising it now, and we will research it for a week and if I'm wrong and if you can get five votes to change it, God bless

you.

Mr. DePasquale:

Mr. Chairman, I don't want to belabor the point except to say that I concur with Councilman O'Malley in that it's rather difficult to hold the hearings out of the Council Chambers, and a community meeting where we get the sense and the feel of the community and the neighborhood is good enough, because then we can take that back to the hearing and make a decision from that; and I might add and Mark you're going to see this happen it's going to be the same people from every community or each community that comes in to all the public hearings.

Tragically, you can't get enough people in communities and neighborhoods interested. It's always the same group. You're going to see they sit in the same seats and in the same rows. Just watch when everybody's here just look there and see the group from the North Side the Allegheny General the same people, out in Oakland the same people. Whatever, it's going to be the same people.

I wish to God these other people would get interested. We begged them to get interested and when we'd go into the communities we would beg them to get interested. But, they just can't come out or won't come out it's always the same group. But, if you have the community meeting you get the sense of their urgency, whatever.

Hearings are routine as you know I mean when they're sensitive ones and important ones sure you should have community meetings, you should meet with them, but the hearings should be held in City Council Chambers.

The Chair:

I think we discussed that long enough and I guarantee you I'll do the research and if I'm wrong we can correct it next week.

Mr. Wagner moved to approve the Minutes of Monday, December 23, 1985 and Monday, January 6, 1986.

Mr. Grabowski seconded the motion.

Which motion prevailed.

And on the motion of **Mr. O'Malley**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX Monday, February 3, 1986

No. 5

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA

Monday, February 3, 1986

PRESENT:

Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

ABSENT:

Mr. DePasquale
Mr. O'Malley

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Grabowski for Mr. DePasquale presented

No. 161 Resolution providing for the issuance of a warrant in favor of Apex Association, R. Tillie, President, in the amount of \$15,084.00 in payment of Extra Work, being in addition to the original contract price of \$34,400.00 on Controller's Contract No. 27112, furnished for the benefit of the City in connection with the Rehabilitation of Fire Stations No. 7, 16, and 36, payable from Code Account EC 85-47.

Which was read and referred to the Committee on Finance.

Also,

No. 162 Resolution authorizing and directing the Mayor and the Director of the Department of Engineering and Construction for and on behalf of the City of Pittsburgh to enter into an Agreement with Calvary Cemetery, Browns Hill Road, relating to the construction and maintenance of a traffic signal along Browns Hill Road on cemetery property in the 15th Ward, City of Pittsburgh.

Also,

No. 163 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting permission for Richard Wharton, to attend the Supervisor's Development Program at the Howard Johnson's Motor Lodge in Monroeville, PA, on February 20-21, 1986, at a cost not to exceed

\$175.00, payable from Code Account 1482.

Also,

No. 164 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting permission for Paul McDermott to testify on the National Infrastructure Act in Altoona, PA, on January 24, 1986, at a cost not to exceed \$180.00, payable from Code Account No. 1482. Prior approval granted.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 165 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Brother Richard Emenecker, F.S.C., to participate in a seminar sponsored by the Southern California Chapter of the National Association of Telecommunications Officers and Advisors in Torrance, California, from February 19-21, 1986, at no cost to the City.

Also,

No. 166 Communication from James Walker, Director, Department of Environmental Services, requesting permission for Robert Sizemore and John Lapp to attend the Animal Control Academy in Tuscaloosa, Alabama from March 17-28, 1986, at a cost not to exceed \$2,900.00, payable from the Animal Control and Animal Welfare Trust Fund.

Which were read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 167 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts, for various public buildings maintenance services, at a cost not to exceed \$150,000.00, chargeable to and payable from the Bureau of Repairs & Operating Maintenance, Department of General Services.

Also,

No. 168 Resolution providing for the letting of a Contract or Contracts, or for the use of Contracts, for Energy Conservation Services, at a cost not to exceed \$55,000.00, chargeable to and payable from the Bureau of Repairs & Operating Maintenance, Department of General Services.

Which were read and referred to the Committee on General Services.

Mrs. Masloff presented

No. 169 Resolution authorizing the issuance of a warrant in favor of Clairton Slag, Inc. in the amount of \$2,172.04 in payment for purchase of slag furnished for the benefit of the City, chargeable to and payable from Code Account FPTF, Frick Park Trust Fund, Department of Parks and Recreation.

Also,

No. 170 Resolution authorizing the issuance of a warrant in favor of The Gage Company in the amount of \$521.50 in payment for the purchase of electrical supplies, furnished for the benefit of the City, chargeable to and payable from Code Account 1839, Supplies and Materials, Department of Parks and Recreation.

Also,

No. 171 Resolution authorizing the issuance of a warrant in favor of Sargent Electric Company in the amount of \$1,255.15 in payment for electrical services furnished for the benefit of the City, chargeable to and payable from Code Account 1801, Miscellaneous Services, Department of Parks and Recreation.

Also,

No. 172 Resolution authorizing the issuance of a warrant in favor of Charles Stang, c/o Crystal Pony Farm in the amount of \$560.00 in payment for pony rides at Phipps Fall Flower Show furnished for the benefit of the City, chargeable to and payable from Phipps Conservatory Trust Fund (PCTF), Department of Parks and Recreation.

Also,

No. 173 Resolution transferring \$280,837.00 from Code Account URAP500, Urban Redevelopment Authority Project 500, to Code Account PZCDI, Pittsburgh Zoo Capital Development and Improvement, in the Department of Parks and Recreation, for use in repairing or renovating the shark tank at the Pittsburgh Zoo.

Which were severally read and referred to the Committee on Finance.

Also,

No. 174 Resolution providing for a Contract or Contracts, or the use of existing Contracts for repairs and renovations to the Shark Tank at the Pittsburgh Zoo, at a cost not to exceed \$280,837.00, chargeable to and payable from Code Account PZCDI, Pittsburgh Capital Development and Improvement Trust Fund, Department of Parks and

Recreation.

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 175 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing and delivery of various play equipment for the Department of Parks and Recreation, at a cost not to exceed \$50,000.00, chargeable to and payable from Play Equipment, Department of Parks and Recreation.

Also,

No. 176 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts, for the furnishing and delivery of various pool pumps and equipment for the Department of Parks and Recreation, at a cost not to exceed \$20,000.00, chargeable to and payable from the 1986 Pool Pump and Equipment Program, Department of Parks and Recreation.

Which were read and referred to the Committee on General Services.

Also,

No. 177 Resolution providing for a Lease or Leases and/or License or Licenses for the use of certain property for the use of certain property for Community Recreation Center located at 200 Tabor Street at a yearly rental, cost not to exceed \$8,400.00, chargeable to and payable from Code Account 1801, Miscellaneous Services, Department of Parks and Recreation.

Also,

No. 178 Communication from Louise Brown, Director, Department of

Parks and Recreation, requesting permission for Regina A. Grebb to attend the International Symposium for World Conservation Strategies for Tigers in Minneapolis, Minnesota on April 13-16, 1986, at a cost not to exceed \$998.00, payable from Code Account No. 1852.

Also,

No. 179 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Kurt Huber to attend the 1986 Swimming Pool and Aquatic Conference and Trade Show in Chicago, Illinois, from March 15-19, 1986, at a cost not to exceed \$840.00, payable from Code Account 1801. Prior approval granted.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Wagner for Mr. O'Malley presented

No. 180 Resolution providing for the issuance of a \$2,795.32 warrant in favor of Thrifty-Rent-Car in settlement of claim for automobile damage by a Department of Engineering and Construction vehicle, payable from Code Account No. 46, Judgments.

Also,

No. 181 Resolution providing for an Agreement or Agreements with Western Pennsylvania Water Company, granting an easement and right-of-way for water line installation and related purposes for City owned property in the 19th Ward, fronting on Pioneer Avenue for the sum of \$1.00 upon certain terms and conditions.

Also,

No. 182 Communication from Melanie Smith, Director, Department of

Personnel and Civil Service, requesting permission for Dave Farley to attend an emergency meeting of the Pennsylvania Service Delivery Area Association in Harrisburg, PA, on January 31, 1986, at a cost not to exceed \$350.00, payable from the JTPA-1 Trust Fund. Prior approval granted.

Also,

No. 183 Communication from Melanie Smith, Director, Department of Personnel and Civil Service, requesting permission for Bernard Schneider and Helen Rodgers to attend a National Tele-Conference on "Aids in the Workplace" being transmitted live from Washington, D.C. to WQED in Pittsburgh, PA on March 26, 1986, at a cost not to exceed \$250.00, payable from Code Account No. 1100.

Also,

No. 184 Communication from Ronald Schmeiser, Director, Department of Finance, requesting permission for Deborah Liotus and Judith Sellors to attend the American Society for Public Administration's 47th National Conference in Anaheim, California from April 11-16, 1986, at a cost not to exceed \$3,000.00, payable from Code Account No. 1063.

Also,

No. 185 Communication from Edward Walkowski, Manager, City Information Systems, requesting permission for Joseph Imbimbo to attend Honeywell GOOS8 Data Management Course in Boston, MA, from February 16-21, 1986, at a cost not to exceed \$1,287.00, payable from Code Account No. 1043.

Also;

No. 186 Communication from Ronald C. Schmeiser, Director, Department of Finance, submitting a report of deposits and market value of collateral security pledged by City Depositories to secure same as of December 31, 1985.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 187 Resolution authorizing the submission of enterprise development applications with the Commonwealth of Pennsylvania Department of Community Affairs for financial assistance and area designation. In 1983 the Pennsylvania Department of Community Affairs designated the Lower North Side and East Liberty as Enterprise Development areas; and allocated \$250,000.00 for those areas.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 188 Resolution approving a Conditional Use Exception under Section 993.01(a)A-8 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, to Allegheny General Hospital for construction of a five(5) level, 925 stall parking garage and a two-story conference facility extension into

the hospital building located in the "I-M" Institutional-Medical District bounded by: EAST NORTH AVENUE; HEMLOCK, PORTERFIELD; FOUNTAIN and JAMES STREETS, 22nd and 25th Wards.

Also,

No. 189 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to transfer property in the 12th and 13th Wards of the City of Pittsburgh designated as Block 125-S Part of Lot 115 from the Industrial Land Reserve Fund to the Residential Land Reserve Fund for \$1.00 plus the proceeds from the sale of the property, will provide for the disposition of the property to an interested purchaser for residential use. The Redeveloper plans to construct 13 single-family and 8 townhouse units on this site located at 543 N. Lang Avenue.

Also,

No. 190 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Homewood-Brushton Revitalization and Development Corporation for the sale of Parcel 10A for \$20,000.00, in the 13th Ward of the City of Pittsburgh in Redevelopment Area No. 34. The officers of the Board of Directors of this corporation are: Neil H. Dorsey, President, Novice Miller, Vice President.
(COMMERCIAL/RESIDENTIAL REHABILITATION)

Also,

No. 191 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Willa Mae Irish and Larry T. Hubbard for the sale of Parcel 63 for the sum of

\$1,000.00 in the 5th Ward, in Redevelopment Area No. 32. (CONSTRUCTION OF SINGLE-FAMILY HOUSE)

Also,

No. 192 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Clifton and Alberta Miller for the sale of Parcel 18 for the sum of \$1,500.00 in the 5th Ward, in Redevelopment Area No. 32. (CONSTRUCTION OF SINGLE-FAMILY HOUSE)

Also,

No. 193 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the below-listed Redevelopers for the sale of the following properties in the City of Pittsburgh. (URBAN HOMESTEADING REHABS)

Also,

No. 194 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Operation Better Block, Inc., for the sale of Block 125-S Part of Lot 115 for the sum of \$1,000.00 per dwelling unit, in the 12th and 13th Ward, in conformity with terms and conditions of the Residential Land Reserve Fund Cooperation Agreement. The Redeveloper is a Pennsylvania non-profit organization located at 801 N. Homewood Avenue. The officers are: Reverend George A. Fitch, President; Wilver Stargell, Vice President; and Carrie W. Washington, Executive Director. (SINGLE-FAMILY AND TOWNHOUSE CONSTRUCTION)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 195 Resolution providing for the issuance of a warrant in favor of Air Tool Maintenance Co., Inc., 1201 Washington Boulevard, Pgh., PA 15206 in payment for the repair of two (2) Air Impact Chisels furnished for the benefit of the City, chargeable to and payable from Code Account EMNEAS, Department of Public Safety, Bureau of Emergency Medical Services.

Also,

No. 196 Resolution transferring the sum of \$374,846.00 from Code Account No. 1461-1, Premium Pay, to Code Account No. 1470, Uniform Allowance, Bureau of Fire, Department of Public Safety.

Which were read and referred to the Committee on Finance.

Also,

No. 197 Communication from John Norton, Director, Department of Public Safety, requesting permission for 29 persons to attend one or more computer-aided dispatch consortium meetings at various cities at various times in 1986, at a cost not to exceed \$15,000.00, payable from Code Account DPSTPP.

Also,

No. 198 Communication from John Norton, Director, Department of Public Safety, requesting permission for Glen Cannon to attend two Committee meetings of the PA. Emergency Health Services Council in Harrisburg, PA. on February 11-15, 1986, at a cost not to exceed \$750.00, payable from the

Department of Public Safety Third Party Payers.

Also,

No. 199 Communication from John Norton, Director, Department of Public Safety, requesting permission for Deputy Chief John Moran to attend the Training, Research, and Development Exchange Meeting in Prince George County, Maryland from February 9-11, 1986, at a cost not to exceed \$500.00. Permission for a City vehicle is requested.

Which were severally read and referred to the Committee on Public Safety.

UNFINISHED BUSINESS

Mrs. Masloff:

There was legislation introduced today from the Cable Committee and I want to point out that long before cable became a reality in Pittsburgh I worked diligently on the cable issue. Now, for some obscure and unconscionable reason, you refuse to recognize me as Chairperson of the Cable Committee.

I think perhaps I have a better knowledge of cable than any member of this Council. I go to the annual conventions, I keep abreast of the industry, and I subscribe to all written matter and keep informed. I monitor complaints and give constituents good service on a day to day basis.

Now, as a protest on anything pertaining to cable, I will vote no. I urge the honorable members of this Council to support me and vote their protest to stop this spiteful vendetta and restore to me what is rightfully and justifiably mine.

The Chair:

As everyone here knows, the Bureau of Cable is under the Department of Public Works. This Council does not put bureaus in the different departments; the Administration does. Historically, it has been under the Department of Public Works.

Mrs. Masloff:

That's wrong.

The Chair:

Historically, and I went through the records last week, the first sub-committee on cable was formed in 1974 with the Chairperson being Amy Ballinger. Bob Stone was on the Committee and Eugene Jeep DePasquale. When Amy Ballinger left, Mrs. Masloff was appointed by then President Lou Mason. The sole purpose of that sub-committee was to bring cable into the City of Pittsburgh. It has been brought to the City of Pittsburgh. A few of the members that were on that existing committee are no longer here and I would like to remind my colleagues, all sub-committees, in fact, all committees can only be appointed or dissolved by the President of Council. I have not dissolved that to this date, but from this point on, the sub-committee on cable television is dissolved. We have an advisory board; that stays in effect, it is by ordinance. But the Cable Bureau is under the Department of Public Works and that's where it stays.

Michelle Madoff:

Mr. President, I respectfully accept your right to appoint anyone to any committee that you wish because that is how the structure, unfortunately, is structured. But I would like to remind this august body - I think I've got the

right word this time, not austere, although it becomes very austere when we have the kind of things that are happening - that Sophie Masloff, whom I have not gotten along with for many years, and the personalities aside, the facts remain that Sophie Masloff is the person who helped bring cable to this City, worked and continues to work on complaints, is the liaison with Brother Richard Emenecker, has attended the meetings all over the country.

I was totally unaware that she was going to bring this issue up today but we all know that if a bill is passed to fund any particular entity, say be it in Water, it sometimes or almost always will end up because of the cost of the item, under Finance. So that while Sophie is still technically, until you remove her from that Committee, I believe ill-advised, the head of the Cable Company, Cable Committee, sub-committee on Cable, the bill could be introduced by Public Works but it still would be her sub-committee. And may I remind this Council that a number of years ago when Mr. DePasquale was President, he appointed me as the head of the sub-committee on energy because of my years, 17 years of experience in the field. And I think the public would like to know those people who have experience would be those people that would be used by or appointed by the President so the public would get the best of those who were the most knowledgeable, not just pick someone at random, which is why I strongly objected to Councilman O'Malley being put on the Alcosan committee when I had far greater experience and have never been appointed to a board or commission from this Council.

I would like to see us rise above the issue of who is going to be President, how the fighting took place. It's after the fact; it's done. We should respect

our President, treat him with respect, not have the digs at each other that are taking place in the media, and I think that it would be a first step in the right direction to consolidate a feeling of, oh, I don't know how to put it, getting along amongst all of us, for you to allow Sophie Masloff to stay as head of the sub-committee or the Committee on Cable and if necessary, the bill could be introduced under whatever appropriate committee it normally would be introduced. If not, without doubt, the public is going to perceive that Mrs. Masloff is being punished because it's "We're in charge and we're going to show people that we're in charge". And I'd like to think that you're above that, Mr. Chairman.

The Chair:

Are you finished? Now, I would think that both you and our colleague, Mrs. Masloff, know that that is a ridiculous statement. You made it and she made it. This situation has been going on between the Committee on Public Works and the Committee on Cable Bureau, sub-committee, since I've been here arguing whose committee it was. My colleagues that are sitting here know that it's been going on - For those who have been here for two years, it's been going on for two years. I've been here for four years and it's been going on, Sophie arguing that this is her committee. It is a sub-committee. In fact, I do believe, and I didn't check this out, every time we re-organize all the sub-committees are dissolved. I haven't checked it out but I'm telling you there's no more arguing but if Mrs. Masloff would like to switch entire committees with Mr. Givens, I would be more than happy to accommodate and I'm sure Mr. Givens would do that. If you would like to be the Chairman of the Committee of Public Works, Mr. Givens will take the Chair of Parks and Recreation and then

you will be Chairman of Public Works and also the Cable Bureau will be under your chairmanship.

Mr. Pollock:

Mr. Woods, I, too, agree that the decision involving all committees and sub-committees is totally within your province and I respect any decision you make. I would only ask that you withhold making a decision on the dissolution of the sub-committee on cable until such time as we meet for our regular monthly session in Council Chambers to discuss this matter. I think it's something that should not be done on public time but a matter for Council to take within its own private discussions and I would ask that you just withhold making a decision until we each have a chance to air our views on it in private.

Mr. Grabowski:

Mr. President, one thing I'd like to point out, every two years this Council reorganizes and at the first meeting the first item of business is the swearing in of Councilmembers. The second item of business is electing the President. The third item is then the assignment of committee posts and quite frequently they change. I believe, based on this Council's prior action, that's an indication that all committees dissolve, all committees and all sub-committees, at the end of any given two year session. So, consequently unless committees are re-appointed and chairpeople reassigned, I believe they are dissolved.

The Chair:

I agree with you and I went through all the records, all the records. Mrs. Masloff's appointment was by Lou Mason when he was President. I have them all here and we will discuss it later. But I

have dissolved the committee.

Mrs. Masloff:

Therefore, Mr. President, if you've dissolved them you also have the power to re-appoint them.

The Chair:

That's exactly right.

Mrs. Masloff:

And you chose not to re-appoint me, is that it?

The Chair:

Mrs. Masloff, you were never re-appointed since, I believe, 1976.

Mrs. Masloff:

You are now the President and I want to know if you will re-appoint me.

The Chair:

I don't believe that we have a need for a sub-committee on cable television when the sub-committee, and I have the facts in front of me, was formed to bring cable into the City of Pittsburgh in 1974 at the request of then Councilwoman Amy Ballinger to take a survey and there was a private citizen involved and there was a community involved also. That's been dissolved.

The sole purpose of that sub-committee, the sole purpose, and I have all the records, I have the Municipal Record, all the documents, the resolution that formed that committee, the sole purpose, and that has been done. There is no need for a sub-committee.

Michelle Madoff:

Respectfully, Mr. Chairman, I would disagree with you simply because my answering service, which I have 48 hours a day so that I can get calls from constituents, happens to be the answering for our telecommunications company and there are many, many problems. I think we do need a sub-committee, whether you appoint Mrs. Masloff or someone else, who would head up a sub-committee dealing in the problems and the inter-liaison with the telecommunication company and with Brother Richard because what happens, and I'm sure in your office as well as mine because I'm not unique, you must get calls periodically saying that they have a problem with cable, isn't that true? And I'm just saying that it would be to our own best interest to have the person who started it, help bring it here, worked on it, inherited it from Amy Ballinger, to continue as a sub-committee on cable. And if there is a bill that relates to some expenditure and then it gets funneled through the appropriate committee, I don't think that's what Mrs. Masloff is talking about.

And whether you believe it or not, the fact is, I did not know she was going to talk about this today. It just triggers the fact that again there was a committee that the Mayor has appointed on energy and it's a disaster. They never invite me to anything, I ask, I send letters saying that I would like to know when you are having the next meeting, I'd like to be briefed. I'd like to know why you haven't done something about the elevators where six elevators go up at once with six different people, one in each elevator. The cost is astronomical. We could pay to have a guard downstairs that would more than cover the cost of what we would save in energy. So, I think I would be very useful with my background serving as a sub-

committee on energy.

So I think what Mrs. Masloff and Michelle Madoff are saying to you is that we need a sub-committee, both on cable and on energy, and we're saying that no matter what has happened in the past, as the President of Council, would you re-appoint us to those sub-committees? And we can discuss that at your leisure.

The Chair:

And I am saying that the sub-committee on cable is dissolved. It was created for one reason in 1974, to bring cable into this City. That was the only and the sole reason it was created.

I have a solution. As you know and every other member sitting here other than Mr. Pollock, there has been constant bickering, who was going to introduce legislation concerning the Cable Bureau. And that's why I noticed something brought up today because there was something introduced on that Cable Bureau and now there's bickering. So, your solution, like you say just follows in the steps, doesn't work. My solution is very simple. If Mr. Givens is willing, and he told me he was, and if Mrs. Masloff is willing, we'll just switch entire committees and that solves the problem. But as far as the sub-committee, I've made my decision. We can talk about it in the Conference Room later but the sub-committee -- In fact, it's not even dissolved; it was never re-appointed.

Michelle Madoff:

By virtue of the fact that it was never dissolved, it continued. And as a member of this Council who was sitting here when this bickering was going on, to my memory, I don't recall you ever commenting on why don't we resolve it or talking to the then President and

saying why don't you do just what you're suggesting now.

I'm not saying you're wrong. I'm just saying that it looks like a vendetta, it looks like you're singling somebody out you're saying you're not. We're going to talk about it in the meeting in the back room and I also would like you to think about appointing me as the head of the sub-committee on energy.

The Chair:

Michelle, for anyone that ever follows these meetings, any of these people sitting here, to say that it's a vendetta is totally ridiculous. These people know that this bickering has been going on for as long as everyone has been sitting here.

Michelle Madoff:

But you have the power to resolve that bickering, don't you?

The Chair:

And I just tried to. If they want to switch committees, they can do that.

Now, we will go to the regular order of business.

Michelle Madoff:

Point of order, Mr. Chairman. Could you clarify something for me that pertains to Council in general? I have made it a policy that when I'm not going to be here to inform the City Clerk. As method, I've even sent you a note that I've been at the dentist or something so that you know where I am and why I'm not here and I also have it circulated if there's a public meeting.

Personally, as a member of this Council and because we are on camera, I

would like to know where the two members are that are not here and why they're not here.

The Chair:

They both notified myself and the City Clerk some time ago that they will not be here this week.

Michelle Madoff:

I know that Mr. O'Malley is at a meeting.

The Chair:

And Mr. DePasquale is also at the same meeting.

Michelle Madoff:

Mr. DePasquale is already on a junket. Okay.

The Chair:

Michelle, I'm going to say this one time. Personal references and derogatory statements are not going to be permitted in this Council any longer.

Now, please read the bills, Mr. Perry.

REPORTS OF COMMITTEES

Mrs. Masloff for Mr. O'Malley presented

Bill No. 200

Report of the Committee on Finance for January 29, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 66

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Conn Construction Company in the amount of \$57,195.82 in payment for Extra Work, being in addition to the original contract price of \$2,536,174.03 on Controller's Contract No. 27563, furnished for the benefit of the City in connection with the Reconstruction of the Pennsylvania Avenue Bridge, payable from the Pennsylvania Avenue Bridge Trust Fund."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 67

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Crown Wrecking Company, Inc., in the amount of \$33,875.00 in payment for the demolition of a 3-story building located at 3715 Penn Avenue, payable

from Code Account EC 85-53."

Which was read.

Michelle Madoff:

I would like my comments on Bill 67 to be brought forward so they'll understand my vote.

(BEGINNING - MICHELLE MADOFF'S REMARKS ON BILL NO. 67 - WEDNESDAY, 1/29/86)

Michelle Madoff:

Discussion. Could somebody from the Law Department — this is an instance where we need somebody from the Law Department — could they help us, please? Would you clarify something for me?

Mr. Pellegrini:

If I can.

Michelle Madoff:

In the case of the subterranean caverns, I was in the courtroom when the ruling was against Mr. Crown, and he —

THE CHAIR COMMENTS

Michelle Madoff:

That's right. I want to know whether Mr. Crown was declared a non-responsible bidder, and he's allowed to bid on anything, that's why I'm asking. Is that in line with questioning, Mr. Chairman? Am I on target, on subject?

THE CHAIR COMMENTS

Michelle Madoff:

Yes. Thank you, sir. Is he or is he not a responsible bidder, and is he

allowed to bid with the City?

Mr. Pellegrini:

My recollection is it didn't involve that case. He was declared a non-responsible bidder, but it was for technical reasons. In one case he failed to sign a bid and in the other case he left a blank.

Michelle Madoff:

I don't care why, but he was declared.

Mr. Pellegrini:

Yes, but it was for technical reasons, but it was non-competent.

Michelle Madoff:

So he's allowed to bid.

Mr. Pellegrini:

Yes.

Michelle Madoff:

I just wanted it clarified. Thank you.

I'm opposed.

(END OF REMARKS)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't)

AYES 6

NOES 1

(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 68

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Trumbull Corporation in the amount of \$3,826.21 in payment for Extra Work being in addition to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street-Phase I, payable from the Grant Street Trust Fund."

Which was read.

Also,

Bill No. 75

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Scott Electric for various electrical items in the amount of \$376.74 furnished for the benefit of the City, chargeable to and payable from Code Account 1852, Miscellaneous Services, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 76

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Pennsylvania State University in the amount of \$494.50 in payment for the purchase of books for the Commercial Applicators Training and Testing, furnished for the benefit of the City, chargeable to and payable from Code Account 1806, Materials, Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 77

A Resolution entitled, "Resolution transferring \$200,000.00 from Code Account No. 1838, Miscellaneous Servicess, to Special Parks Program Trust Fund, SPPTF, Department of the Parks and Recreation. This transfer is necessary to provide advance money for performer Contracts and Salaries."

Which was read.

Also,

Bill No. 78

A Resolution entitled, "Resolution transferring \$293,000.00 from Code Account No. 1843, Senior Citizens Program, to Senior Citizens Program Trust Fund, SCPTF, the Department of Parks and Recreation. The funds have been appropriated for the payment of salaries and for payment of leases in connection with the City of Pittsburgh's Senior Citizen Program."

Which was read.

Also,

Bill No. 110

A Resolution entitled, "Resolution providing additional benefits to the former employees who are beneficiaries of the City of Pittsburgh Policemen's Relief and Pension Fund, Firemen's Relief and Pension Fund, and Municipal Pension Fund who retired prior to January 1, 1986, shall be paid an additional sum of \$10.00 per month, payable from Code Account Nos. 55, Policemen's Relief and Pension Fund; 56 Firemen's Relief and Pension Fund; 58 Municipal Pension Fund-Old; Police Pension Fund Trust Fund (PPF); Firemen's Relief and Pension Fund Trust Fund (FRPF); Municipal Pension Trust Fund (MPF)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 201

Report of the Committee on Public Works for January 29, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 18

A Resolution entitled, "Resolution abandoning the existing 20 foot easement for utilities in Gallery #2 located between the 50 foot easement for vehicular circulation and a 20 foot easement for utilities along Freeport Road in the 12th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 71

A Resolution entitled, "Resolution granting unto Schwerd Manufacturing Company their successors and assigns,

the privilege and license to construct, maintain and use at their own cost and expense, pipe bollards along a portion of the sidewalk of McClure Avenue in the 27th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 202

Report of the Committee on Planning, Housing and Development for January 29, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 116

A Resolution entitled, "Resolution authorizing the Urban Redevelopment

Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by S. Richardson Hartman and designated as Block and Lot 23-K-318 (114 Sampsonia Way) in the Deed Registry Office of Allegheny County, for the Fair Market Value, plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 117

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 21st Ward of the City of Pittsburgh designated as Block and Lot 22-K-287 (1422 N. Franklin Street) in the Deed Registry Office of Allegheny County, for the sum of \$1.00 plus all necessary and incidental expenses, under the Residential Land Reserve Fund.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods

Mrs. Masloff (Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 203

Report of the Committee on General Services for January 29, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 72

A Resolution entitled, "Resolution amending Res. No. 1055, effective November 25, 1985, entitled: "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of a 250 CFM Air Compressor, Truck Mounted, and providing for the payment of the cost thereof," by changing the Truck Mounted Air Compressor to a minimum 345 CFM, at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1612-2, Equipment."

Which was read.

Also,

Bill No. 73

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of Litter Receptacles, at a cost not to exceed \$25,000.00, chargeable to

and payable from Code Account 1612-2, Equipment."

Which was read.

Mr. Wagner:

I would like my remarks on Bill No. 73 from last Wednesday's meeting to be brought forward for the Record.

(BEGINNING - MR. WAGNER'S
REMARKS ON BILL NO. 73 -
WEDNESDAY, 1/29/86)

Mr. Wagner:

Discussion. Mr. Gaetano, I'd just like to make a request publicly that these receptacles be utilized in the neighborhoods and not downtown Pittsburgh.

Mr. Gaetano:

I have already given your request to my people and that's exactly where they will be used, Jack.

Mr. Wagner:

Thank you.

(END OF REMARKS)

Also,

Bill No. 74

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of the following pieces of equipment: Hydraulic Pipe Cutters, Plate Wackers, Electrical Sump Pumps, Ten 175 CFM Compressors, and Jumping Jacks (Rammeers), at a cost not to exceed \$250,000.00, chargeable to and payable from Code Account 1612-2, Equipment."

Which was read.

Michelle Madoff:

May I have my comments brought forward with reference to buying repossessed equipment and sharing the equipment with other departments in some kind of a pool that would be on a computer that all departments could use?

(BEGINNING - MICHELLE MADOFF'S
REMARKS ON BILL NO. 74 -
WEDNESDAY, 1/29/86)

Michelle Madoff:

Discussion. Director, the same question I asked you on Bill No. 72, could that equipment be used? Could you get together with Construction and Engineering and Water?

Mr. Gaetano:

Some can; some can't.

Michelle Madoff:

Make a pool where all the equipment is listed on a computer and if it's not out, not signed out, somebody else can use it. Try and get some kind of a central use of all the equipment. It would save us a lot of money in taxpayers' dollars.

(END OF REMARKS)

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 204

Report of the Committee on Parks and Recreation for January 29, 1986 transmittig sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 79

A Resolution entitled, "Resolution providing for Lease or Leases and/or License Agreement for use of certain property for Senior Citizen Center Facilities at a cost not to exceed \$133,000.00, chargeable to and payable from Senior Citizen Program Trust Fund (SCPTF), effective January 1, 1986." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. Givens	Mrs. Masloff
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 6 NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 80

A Resolution entitled, "Resolution authorizing sale and subsequent issuance and execution of a Deed of Conveyance of publicly-held property by City of Pittsburgh located in the 27th Ward of the City known as Odd Fellows and Rebekah Home for Western Pennsylvania property, 3515 McClure Avenue, Block 75-D-76, to Northern Area Multi-Service Center of Allegheny County, Pennsylvania, for the sum of \$1.00, and other valuable considerations together with all necessary and incidental expenses."

Which was read.

Also,

Bill No. 81

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Symphony to provide free concerts in Point State Park for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$98,750.00; \$75,000.00 chargeable to and payable

from Code Account 1833, Recreational Activities, Concerts; and \$23,750.00 from Code Account 1837, Recreational Activities, City Wide Events, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 82

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Ozanam Cultural Center for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$45,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 83

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Brashear Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 84

A Resolution entitled, "Resolution providing for an Agreement or

Agreements with the Civic Light Opera for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 85

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The Sounds of Heritage for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$7,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 86

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Robert Morris College for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 87

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Greater North Side Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 88

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The Homewood Brushton Stinger Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 89

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bloomfield Citizens Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 90

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The Arsenal Board of Trade for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 91

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The Western Pennsylvania Conservancy for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 92

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The Champions Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed

\$10,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 93

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The Pittsburgh Opera for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$38,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 94

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Uptown Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 95

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Uptown Little

League for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 96

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The Pittsburgh Ballet for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 97

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Duquesne University for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 98

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The American Wind Symphony for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$25,001.00, chargeable to and payable from Code Account 1833, Concerts, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 99

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The Three Rivers Arts Festival of Carnegie Institute for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$12,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 100

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The River City Brass Band for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 101

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The YMCA of Pittsburgh for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$2,800.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 102

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The University of Pittsburgh for the Shakespeare Festival for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 103

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various independent contractors for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed

\$30,000.00, chargeable to and payable from Code Account 1852, The Pittsburgh Zoo, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 104

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various independent contractors to provide instruction in connection with the 1986 Spring Session of the Preschool Program of the Department of Parks and Recreation, at a cost not to exceed \$21,000.00, chargeable to and payable from the Special Parks Program Trust Fund (SPPTF)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski for Mr. DePasquale presented

Bill No. 205

Report of the Committee on Engineering and Construction for January 29, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 69

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Baltimore and Ohio Railroad Company granting the City license and permit to construct, maintain, repair, operate, use, alter, change or remove one (1) 30-inch ductile iron waterline enclosed in a 42-inch diameter steel casing pipe under property right-of-way, land and track at Valuation Station 7733 plus 10 in the City of Pittsburgh, Allegheny County."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Givens presents

No. 206 WHEREAS, The American Heart Association was founded in 1949; and

WHEREAS, The American Heart Association is a non-profit volunteer help organization, funded by private contributions, and the stated goal is to reduce early death and disability from heart disease, stroke, and related disorders; and

WHEREAS, to achieve this the American Heart Association funds medical research, professional and public education and Community Service Programs; and

WHEREAS, Since 1949, 572 million dollars have been spent in research; and

WHEREAS, the American Heart Association is governed by a Board of Directors and is comprised solely of volunteers.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby joins with the American Heart Association and the Citizens of Pittsburgh in declaring the month of February as Heart Month.

Mr. Givens moved to adopt the resolution.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Mr. Givens:

If I could invite Mr. Harry Mahr, Jr. Esq. to come up and he'll tell us a little bit about what this month of February, Heart Month, means to the people in the City of Pittsburgh.

Mr. Mahr:

Thank you, Mr. Givens. Heart Month means a lot to us. I'm one of the volunteers, I'm a Director of the Heart Association, one of the some 10,000 volunteers in this area. This is the month that we're going to have, among other things, a Heartthrob, perhaps you've heard about it, out at Robert Morris College with the chap from Miami Vice, Don Johnson, and folks like that who are committed to healthy hearts, who don't smoke, who exercise. They're going to be there to meet with the ladies in the community.

February 14th, young ladies from the sororities out at Pitt and from the Bradford School here in Pittsburgh are going to be selling lollipops. So, buy a lollipop. Your dentist may not think it's a good idea but we in the Heart Association think it is.

We thank you very much for your support and appreciation.

Mr. Givens:

I'd like to present to Mr. Mahr the resolution and if you could please take it back to your Board of Directors right there and place that wherever you so desire. I thank you very much for coming up here; I know there are a few people on this Council who have been, I think, recipients of your foundation. Thank you very much.

Mr. Mahr:

I thank you. Our slogan is "We're fighting for your life".

Michelle Madoff:

Don't go away; I want to help you fight.

Many years ago, in my former life, I was married to a cardiovascular surgeon for 22 years and I served on one of the early heart committees, the Ladies' Auxilliary, and my job was to originally address and seal envelopes but I found out that I shortly became head of solicitations from apartment houses. I did that for ten days, raised \$10,000 and spent a day in the hospital for every thousand I raised.

I think that the Women's Auxilliary does an outstanding job and it's time that perhaps we combine all organizations so we don't have sexist things like Heartthrobs. Are these Heartthrobs going to be all men?

Mr. Mahr:

They're all going to be men, yes.

Michelle Madoff:

Well, I suggest that you change it to have some Heartthrobs who are women.

My heartthrob is Ben Woods even though he didn't vote to keep smoking out of this Council. I mean, look at that handsome devil; he's been asked to go to Hollywood to screen for some television commercials and when he did not vote to support non-smoking in this room, Mr. Givens asked me to hold off on the bill on smoking because we had a battle about a thermostat. It had nothing to do with smoking; he was putting air

conditioning on in the winter which affects my heart because I get sick. And it would be very kind of you if you'd take Mr. Woods into the woodshed and take Mr. Givens with you and give them the lecture on non-smoking and how it would help the rest of us. Thank you.

Mr. Mahr:

Fine. Thank you; I appreciate it. Thank you very much.

The Chair:

Thank you.

Mr. Pollock:

I'd like to point out to the members of Council that this next resolution is being presented by all nine members of Council.

Mr. Pollock presents

No. 207 WHEREAS, Afro-Americans have been an integral part of this nation, this state, this country, and this City's history for more than three hundred years; and

WHEREAS, the first week of the month of February has been traditionally designated to recognize their many deeds and accomplishments; and

WHEREAS, the Federal Executive Board, working with other Federal, State, County, local agencies, and concerned citizens, is coordinating the observance of Afro-American History, an event launched for the first time in 1926 by the Association for Study of Afro-American Life and History; and

WHEREAS, this occasion seeks to encourage Americans to recognize, understand, and appreciate the contributions of Blacks to our Nation

through this year's theme, "The Afro-American Experience: International Connection;"

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of the Council of the City of Pittsburgh on behalf of the citizens of the City of Pittsburgh, hereby recognize and observe the month of February as Afro-American History Month.

Mr. Pollock moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Wagner:

Mr. President and members of Council, as you know, and as the public knows, approximately three weeks ago there was a near fatal fatality in drowning in the Allegheny River. At that time, we were not prepared to properly respond to a river rescue operation. Also, about two years ago, actually, I think it was January or February of '84, a similar situation occurred where we were not adequately prepared to respond to a river rescue situation.

We are a city of rivers and because of that we're becoming more and more a city of boats. As a matter of fact, I believe in the County we have over 22,000 boats registered in our City. As all of you know, we have the Gateway Clipper Fleet that has five boats and has a maximum capacity in the five boats total to carry over 2500 hundred passengers. We have a tremendous potential catastrophic situation for loss of life on our rivers so we as a city have to be prepared to respond to river rescue

operations.

As a result of those two accidents, there was a recent post agenda held on January 22nd of this year that I chaired and some of you attended. I had in attendance many of our directors in the City and the purpose of the post agenda was to clearly identify what our problems are in terms of proper river rescue operations. It was brought out in the media a couple of days after the accident that really all we had to do was to increase or enhance communications. The problem is much more in depth than that. It involves a whole lot more; it involves various bureaus within the Department of Public Safety and various departments within the City of Pittsburgh.

What I've done is put together a report which I would like to read into the Record that is a summary of that post agenda. After reading it I would like to actually have Council discuss it, if they choose, and I would like to even have a motion to endorse it so that this could be sent to all departments heads as an endorsement from this body rather than coming from only one individual.

(BEGINNING - REPORT SUBMITTED BY COUNCILMAN WAGNER)

February 3, 1986

TO: All in attendance at "RIVER RESCUE" Post Agenda:

John Norton, George Jacoby, Lou Gaetano, Bob Coll, Glenn Cannon, Ralph Pampena, Ed Patterson, John Leahy, John Harpur, Bob Lurcott, Paul Farmer, Paul McDermott, Steve Schillo

RE: Post Agenda - January 22, 1986 on "RIVER RESCUE"

The Post Agenda highlighted several areas of importance that must be addressed to prevent a re-occurrence of the recent river rescue attempt.

The majority of items discussed pertained to particular needs that can be improved upon immediately to correct our river rescue effort. However, the overriding item of importance is the need for policies and procedures to clearly define the responsibilities of each Bureau within the Public Safety Department.

The items discussed at the Post Agenda and the efforts to be taken include:

1) Within sixty (60) days the Director of Public Safety will develop a policy and procedure of notification and communication to alert the appropriate people when a river rescue boat is not in operation. During the interim period a letter defining these responsibilities will be sent to all Bureau Chiefs. Of particular importance is the communication between the Police, Administration and E.M.S. Bureaus when police boats are not in operation to insure that E.M.S. back up boats are on standby.

The reason for the importance of that No. 1, in a recent incident we actually had three bureaus in the new Department of Public Safety that needed to communication between the bureaus. The River Rescue Operation falls under Police. When the boat goes out of service, they notify Communications, Communications in under the Bureau of Administration. The Administration then had the duty to notify E.M.S. to get their backup pontoon. There is no written procedure, no written management procedure, that clearly defines what those bureaus should be doing in the event these boats go down.

2) A policy and procedure should be developed within the General Services Department to place a priority on the service and maintenance of rescue boats. Due to the fact that the City has only two rescue boats (excluding E.M.S. pontoons), it is critical that these boats receive top priority for maintenance service from the General Services Department when they are not in operation. This is particularly important when one of the two boats becomes inoperable because the one remaining boat has no backup except for the E.M.S. pontoons. Without a written policy of this type a re-occurrence of the past situation could occur. It is suggested that a policy be written as soon as possible.

At the post agenda it was indicated that there is no priority put on the maintenance of river rescue boats over other emergency equipment. Due to the fact that we only have two river rescue boats, I think it's critical that a priority be placed on one when it goes out of service because once one is out of service we are only sitting left with one other. Therefore, the priority must go immediately.

In a recent situation, the first boat went out of service in November. It was out of service for almost two months. We should have had a high priority placed on that boat to make sure that it was back in the water when the second boat went out of service.

3) An emergency service and maintenance contract with an outside boat service and maintenance company should be initiated. This contract would be utilized in the event the service work cannot be done by City of Pittsburgh personnel.

What that is referring to is if, for some reason, the work is specialized, it's

on the hull of the boat or some type of work that is not normally done within our General Services Department, we should have a service contract, a service maintenance contract, already in existence so that that boat can be sent out immediately to have it serviced.

4) An emergency lease contract with an outside marina should be initiated. This contract would be used to obtain an extra rescue boat if one or both of our boats would be out of service for an extended period of time.

Again, we need an additional safety network here and what this suggestion is saying is that if one of our boats go out of service for an extended period of time we should then go out and lease a boat and have it on standby. If both boats go out of service we should lease two boats but there should be a contract in existence so that our departments can do that immediately.

5) Engineering and Construction will place priority on the new Public Safety Boat Storage and Launching facility to be constructed on the western edge of Clemente Park. Design on this facility will be completed in 1986 and construction completed in 1987. The facility will be in operation in late 1987.

The Director of Engineering made public commitments to these dates. We are hoping that they can be met and, in fact, we're hoping that it can be done sooner. That is the ultimate solution to this problem.

6) The Public Works Department will investigate the possibility of placing life preservers on several bridges. This will be done as soon as possible.

Other cities, particularly Chicago, do this and the life preservers have actually worked and have helped save

lives.

7) The Police Bureau will investigate the possibility of having life preservers in all police cars and vans; this will be done immediately.

This suggestion was made primarily because the Police vehicle is generally the first one to the river out of all vehicles and at the very least, if they have a life preserver that can be thrown to a victim that would be a tremendous help; it would keep them afloat. I don't think the investment would be significant to put a life preserver in several hundred Police vehicles.

8) Communications will continue with outside agencies (Coast Guard, Pennsylvania Fish Commission, Sheriff's Office, Allegheny County, marinas and private boat owners) to enhance their involvement in rescue operations. This includes the possibility of housing the Coast Guard boat at the new Public Safety boat docking facility.

Communications have been going on. What this is simply suggesting is that they continue and they become even more concentrated as they relate to the City of Pittsburgh.

9) More emphasis will be placed on education and awareness of the public through the Police Bureau and its Community Relations officers. One particular item of information that needs to be better relayed to the public (and City personnel) is that the spare tire of an automobile, truck or van is the most available life preserver.

A lot of people don't realize but actually a spare tire with a rim on it is a floatation device. I'm talking about a spare tire that's full of air that you have in the trunk of your car. The larger tires from the older vehicles and now used for

vans and for pick-up trucks can hold two or three people in the water. The new smaller tires can keep one person afloat.

That's something that even our Public Safety Personnel are not aware of and should be aware of. We stand hopelessly on these bridges and watch people in the rivers when, at the very least, we could throw them a spare tire, something that they could swim to.

In addition, if someone were to go out in the river to rescue someone, they should have something with them to save themselves, and a spare tire could serve that purpose.

10) The Public Safety Department will investigate the availability of the Allegheny County boat to be used as a backup rescue craft.

It's my impression that they have a boat; we simply have not asked them to utilize them as a back-up craft.

The above items provide redundant safety checks and alternative approaches to insure that rescue boats will always be available. This requires the efforts of more than one City department and more than one Bureau within the Public Safety Department; therefore, proper policies and procedures to guide internal communications is critical.

I am certain that all our efforts to improve the rescue capabilities on the Pittsburgh rivers will reduce the potential for loss of life. Please let me know if I can be of assistance in addressing the above-items. Some may require legislation.

Thank you for your ideas and presence at the Post Agenda.

Sincerely,

JACK WAGNER
MEMBER OF COUNCIL

cc: Mayor Caliguiri
Members of Council

(END OF REPORT)

Mr. Wagner:

What I want to do with this summary of this post agenda is that it is being sent this afternoon to all individuals who attended the post agenda an to the Mayor and I would like to follow up all of these recommendations in 60 days. Prior to doing that, I would like to simply make a motion and ask all of you for your endorsement in regard to these ten recommendations.

Michelle Madoff:

Point of order. I think you've done an outstanding job, Councilman Wagner, and you're to be congratulated. But I think you're in the wrong form; I think it should be a resolution with recommendations that we should adopt and you certainly would have my support on them.

The Chair:

He's simply asking, and we do this all the time, is for all of us to endorse a letter that we are sending to a director or to a particular individual. And we've done that time and time again. So, your motion is in order.

Michelle Madoff:

Well I hope it would go beyond that.

The Chair:

I would like to ask the Councilman if you would hold off a week. I agree with many of these things in here but I would just like to go over it one more time. This is the first I've seen it; you may have passed it out to my office but I just haven't had a chance. But there's something I think is missing that I'd like to see added and I will discuss it with you and perhaps you could do it next week and I'll be more than happy to vote for it.

Mr. Wagner:

Okay but what I would like to do though is, due to the urgency of the situation, is send a letter out and then next week we could endorse it and even add to it.

The Chair:

Alright. I appreciate that.

Mr. Givens:

Jack, I just have one area of caution and that is the fact that we are a legislative body and we legislate and the fact that your letter is directive in nature for various department heads to do certain things and that's really, to a certain degree, when you give specific actions to department heads, that is out of the realm of the Council of the City of Pittsburgh saying that you will do this. We can suggest and make recommendations but we cannot direct and have them responding to us in such a way that they are responding to us and not the Administration.

The Chair:

I don't think he's doing that, Mr. Givens. I think this is almost like one of our resolutions that we just passed, a wish of Council. We've done this

before. Within 60 days you want an answer with what you're going to do but when we all sign it we can make our recommendations. He's going to send it on his own anyway.

Mr. Givens:

Well I caution, Ben, because some paragraphs in there are directive in nature and this Council in fact cannot — we can suggest, make recommendations to departments to do certain actions but we cannot tell them and the fact that we are not truly their bosses it's that of the Administration to direct it. But I would hope, as I've indicated in years gone by, Jack, that we have some areas that need to be tightened up and tightened up very quickly and we're sure that this will happen.

But this is another instance on that river patrol that we had some difficulties and that one particular scene was dramatic enough that if one would think of what could happen on one of our bridges in the way of an accident, maybe a bus or so in the river at one time, then we can see the magnitude of what could happen in the city of bridges that we have and the number of roadways that are adjacent to the rivers themselves. It's a real great concern of mine and it's a good report that you read, Jack.

Mr. Wagner:

Mr. President and members of Council, I think sometimes we forget that the Charter clearly dictates to us, as members of this Council, and I'm reading verbatim, "Council has the power to investigate any legislative or administrative matter in the City". That is what a post agenda is and my interpretation of a post agenda is the investigation of an administrative or legislative matter. I view the river rescue operations as an administrative

procedure that was investigated and many of the ideas in this report, as I indicated in the last sentence of the report, "Thank you for your ideas and presence at the post agenda", many of the ideas were actually the ideas from the various department heads. It's just that we have not sat everyone down in one room and brought out all that information. So, I know that I as a Councilmember or this body does not have the ability to administer this City but we do have within our power the ability to suggest that certain things be done.

Mr. Givens:

That's what I'm saying, Jack. It has to be in that suggestive recommendation type thing.

Michelle Madoff:

I repeat, I think that this is a very well put together summary. You did an outstanding job at the post agenda. The input was from various people but in your first paragraph, item one, it says that within 60 days the Director of Public Safety will develop and in the second one you said procedure should be developed within the General Services Department.

So, I am suggesting that if you wish to write a letter in principle and wish that we get moving with it, I see no reason why we can vote for it. But I would like to see you follow through by Monday with a specific resolution encompassing exactly what you've said here, have it come up the following Wednesday and let's mandate that these actions, as suggested by everybody, become a reality. That was my point originally.

The Chair:

Mr. Wagner has agreed that he will

hold off on any motion until Monday and he has also graciously accepted any information that any of our colleagues would have for him. Is that correct, Mr. Wagner?

Mr. Wagner:

That's correct. Real briefly let me explain. Where it says in No. 1, "will", the Director of Public Safety actually agreed to do that at the post agenda. That's public record. Where it is indicated it is suggested that a policy, for instance, in No. 2, be written as soon as possible for giving priority to maintenance of the boats, that Director did not agree to do that. So, I am only suggesting strongly, and I'm hoping that all of you back me up, that that be done within that department.

So, I'm trying to define clearly exactly what they said and what they agreed upon.

Michelle Madoff:

Mr. Chairman, I think Councilman Wagner has just reinforced the need for some legislation to come out of this body because while they may disagree, he may have a greater concern and I think you will find great support in this Council if you put it in the right form, as a resolution.

The Chair:

Okay.

Michelle Madoff:

On another subject. This Council has not as yet, to my knowledge, unless you've discussed it privately, and I don't think you have, and Councilman O'Malley is not here today, the subject of raises of this Council which are tied in to Police, Fire, Paramedic, on the annual cost of

living.

I would suggest, in light of what has happened, that this Council set an example and not accept any raise this year. I'd like to make that in the form of a motion.

The Chair:

This Council, or any other elected official in this City, receive a raise -- If we were going to receive a raise we would have had to do it at budget time. We would have to pass along with the budget the average raise that all other City employees were to receive and we didn't do that.

Michelle Madoff:

Excuse me. Discussion, please. I spoke to you specifically about what the rule was and at that point, I think I did it here in session and privately, nobody knew what the negotiations were going to be. You said that we had to wait until that was done and it would be retroactive. I think that has now happened. I don't know what it is and I don't really care. I'm saying that in these hard times, and Peter Leo's column may have been joshing today but it really exemplifies how bad things are, we ought not to have a raise. I think that should be the will of this Council.

The Chair:

It already is the will of this Council because during the budget process we would have had to establish that whatever the average raise was, the average, we, all elected officials would receive in the coming year. We did not do that during the budget process.

Michelle Madoff:

I hate to be redundant, Mr.

Chairman, but at the time that the subject came up during the budget you told me, and you said it publicly, it's on the Record, that we couldn't do anything on it until it was agreed upon and negotiations were finished and then we would deal with it because it was a matter of record that we had that on the referendum and whatever the referendum dictated we would then accept and that if the raise across the board was four percent we would get four, if it was two we would get two and it would be retroactive but we didn't know what it was at the time of the budget.

I'm merely suggesting, and I believe it was raised to four percent for Police and Fire, nothing for City employees, so that what it would work out to is about two percent. I'm saying we don't take anything just to show that we understand what's happening in this community.

The Chair:

I apologize for misunderstanding your question during the budget process.

Michelle Madoff:

It was after the budget process, sir.

The Chair:

We have to vote on raises for not only ourselves but every other elected official and everybody. That's how we have to vote on the budget. We did not do that. The year before last we voted that whatever the average raise was, the eleven elected officials would receive that. We did not do that at this budget time; therefore, we said to ourselves, we're not getting a raise.

Michelle Madoff:

Excuse me. That would make us

sound holier than thou and altruistic. The fact remains that the law, which was introduced by the people who wanted to get this monkey off our backs so that it didn't look like we were taking a grab every four years, said that we were going to be tied into whatever the negotiations were. The negotiations did not take place during budget time; they took place after budget time. I spoke with you about it and you said when we know we'll then see what the average is.

I am now making an official request that we do not, because we are entitled to it, do not accept it. Why don't you check it out but I would say we reject it.

The Chair:

Alright, I'll check it out. My understanding is that the law says that we can receive no more than the average increase that the regular City employees got but we still have to vote to get that increase. We did not vote for it during the budget process or the passage of the budget. This is my understanding and I will have the Budget Office and the City Clerk check it out. Therefore, we are not entitled to it. But, Michelle, so that we can go on to our other business, I will promise you it will be checked out and we can raise the question next Monday.

Michelle Madoff:

Will you check it with the Law Department because it is my understanding that we automatically, once the negotiations are resolved, get the average of the increase of the City and then we vote. You and I discussed this; you had a lot on your mind, you're very tired. This is not a criticism but after reading today's paper I think we ought to pass on it even if we are entitled to take it retroactively.

The Chair:

Well let's wait to see if it's allowed by law or what the situation is.

Michelle Madoff:

Fine. On another subject. I think that it's important that we clarify a development that has happened in this Council with reference to Councilman O'Malley's - accusations by Mr. Flaherty.

I happen to have been directly involved and part of it and I can speak to only that that I know of and to say that Councilman O'Malley, on the subject I know of, was very innocent and I think more it appears as impropriety than actual actions and I would like to clarify those.

The Chair:

Can I ask you one thing and you don't have to comply on this but it's a request for everybody here. Mr. O'Malley is out of town. There have been a lot of things thrown around here but why don't we wait until he gets back. If you could do that I'd really appreciate it and I know he would. I think that's the proper way for this Council to go on a subject like this. We all know particular different parts, like you do, but let's wait until he gets back. He'll be sitting right there in the chair and we can raise whatever question we wish to raise at that time. I think that would only be fair to Mr. O'Malley and I know that you believe in being fair --

Michelle Madoff:

Just as fair as you do.

The Chair:

And I'm sure he'll be glad to be there.

Mr. Wagner:

I agree, Mr. President. I think that should be the proper way to do this.

Michelle Madoff:

I will yield to your request but I would like to continue to explain why I'm concerned about waiting.

If it were me and I were many miles away when one of the Councilmembers in this Council gutted my bill on the garages, at my expense I flew back to the City from my vacation because it was important. I think Mr. O'Malley is doing himself a great disservice by not coming back until next week because this thing is snowballing. There are accusations being made; some of us are directly or indirectly involved and I think our Chairman might be well-advised to get on the phone and call Mr. O'Malley and ask that he return. Perhaps we could have an investigation as of Wednesday so that we can be dealing with this problem.

And I have a request, you requested and I will wait until he gets back, but I have a request. Will the City Clerk please request from Mr. Creehan at Alcosan the subject matter of the meeting, the technical and all subjects, any literature at the Water and Sewer Conference that's taking place in my daughter's city of Orlando, I would have loved to have visited her and it would have been perfectly legal for me to go to this, but I want to know whether the technical matter is something that would be addressed by our colleagues. I'd like to know the expenditures of the amount of cost to the two Councilmembers going and I will determine and give you an evaluation from a professional point of view by consulting with experts as to the technical nature of the meeting as to what input would be appropriate.

The Chair:

Thank you.

Mr. Grabowski:

Mr. President, I move for the suspension of Rule 8 for all Committees providing for the mailing of printed copies of all ordinances and resolutions to each member of Council at least 48 hours previous to their consideration by Council after the return of such papers from Committee.

Mr. Givens seconded the motion.

Michelle Madoff:

Discussion. I was waiting for this. Mr. Perry, can you explain why once more these bills were not ready last Thursday?

Mr. Perry:

I think we're back in the old trend again. The employees are off sick and I don't have time to get them out on time, that's all.

Michelle Madoff:

Mr. Perry, would it be possible, and Mr. Woods, to discuss at our meeting, this is going on all the time. Perhaps Mr. Perry could assign a member of the staff to deal with this problem because it happens only too often.

I was trying to get my bills in order today; I kept calling, they were not ready, and I was a little sharp with somebody on your staff saying, "Where are they?" and he brought them to me before the meeting. I have a new administrative assistant and we need to go over the bills.

This is totally unacceptable. What

is your budget, Mr. Perry, for the year? Could you give me a ballpark figure for the listening audience?

Mr. Perry:

I really can't give you a ballpark figure.

Michelle Madoff:

What's the budget for your office, Mr. Perry? Is it over \$100,000?

Mr. Perry:

Definitely.

Michelle Madoff:

Is it over \$200,000?

Mr. Perry:

It's over \$200,000.

Michelle Madoff:

For over \$200,000 you can have the bills ready on Thursday the week before. It's happened once too often. I didn't say anything the first time, the second time, the third time. It's too often.

Mr. Perry:

I think it is happening too often.

Michelle Madoff:

You do not have the responsibility, they're not giving you the authority over your staff and maybe they have to give you that.

Mr. Perry:

I have the authority.

Michelle Madoff:

Then you've got to get it done. How about some alternative people? Hiring part-time people?

Mr. Perry:

I'm turning over a new leaf, Michelle.

The Chair:

All in favor of Mr. Grabowski's motion?

Mr. Pollock:

Could you just explain it? Steve, are you just saying that your motion will not require that these bills be submitted to us?

The Chair:

Just these particular ones that we already passed.

All in favor?

Michelle Madoff:

Opposed.

WHICH MOTION PREVAILED.

Mr. Wagner moved to excuse Mr. DePasquale and Mr. O'Malley for absence from the meeting.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Mr. Givens moved to approve the Minutes of Monday, January 13, 1986 and Tuesday, January 21, 1986.

Mrs. Masloff seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Wagner**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX Monday, February 10, 1986

No. 6

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, February 10, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods (Pres't)

ABSENT:

Mrs. Masloff

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. DePasquale presented

No. 208 Resolution further amending Res. No. 319, eff. April 10, 1985, as amended by Res. No. 1081, eff. December 4, 1985, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants to perform professional services on various City facilities on an as-needed basis, in response to the Capital Budget Program; and providing for the payment of the cost thereof," by increasing the total project allocation from \$100,000.00 to \$160,000.00.

Which was read and referred to the Committee on Engineering and Construction.

Mr. DePasquale moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 209 Resolution providing for the issuance of a warrant in favor of Facchiano Construction Company (Michael Facchiano, President) in the amount of \$26,201.20 in payment of Extra Work, being in addition to the original contract price of \$176,280.00 on Controller's Contract No. 27401, furnished for the benefit of the City in

connection with the Repaving of Roseanne Avenue from Younger Avenue to the cul-de-sac area, payable from Code Account PW 84-27. Prior approval granted.

Which was read and referred to the Committee on Finance.

Also,

No. 210 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the shop inspection of the fabrication of the structural steel for the Bloomfield Bridge, Phase IV, at a cost not to exceed \$6,000.00, chargeable to and payable from the Bloomfield Bridge Trust Fund.

Also,

No. 211 Resolution providing for a Contract or Contracts, or use of existing Contracts for the Renovation of the Martin Luther King School Playground; providing for reimbursement Agreement or Agreements with the Board of Public Education of the School District of Pittsburgh, chargeable to and payable from CDEC 85-26 - \$40,000.00 and EC 85-36 - \$20,000.00.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 212 Resolution providing for an Agreement or Agreements between the City of Pittsburgh and the Steel Valley Council of Governments for a Hydraulic Study of the West Run Creek, at a cost not to exceed \$1,250.00, chargeable to and payable from Code Account 1502, Miscellaneous Services, Director's Office.

Also,

No. 213 Resolution amending Res. No. 605 eff. July 20, 1984, entitled: "Providing for the letting of a Contract or Contracts for the use of existing Contract for equipment, services, and supplies for the installation of a Lighting and Audio System for City Council Chambers for use by the Bureau of Cable Communications in connection with the telecast of City Council Meetings, Public Hearings, and Presentations, at a cost not to exceed \$80,000.00, chargeable to and payable from the Community Communications Trust Fund, Code Account CC, Department of Public Works, Bureau of Cable Communications.

Also,

No. 214 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Lawrence Staab and James Lenkner to attend the 1986 International Television Association Conference in Dallas, Texas from April 15-20, 1986, at a cost not to exceed \$2,700.00, payable from the Community Communications Trust Fund.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 215 Communication from George Jacoby, Director, Department of General Services, requesting permission for Barbara Burger to attend the annual meeting of members of the Western Pennsylvania Safety Council at the Monroeville Marriott on February 25, 1986, at a cost not to exceed \$30.00, payable from Code Account 1128.

Which was read and referred to the Committee on General Services.

Michelle Madoff presented

No. 216 Resolution providing for the issuance of a warrant in favor of Industrial Rubber Products Co., 294 Corliss Street, Pgh., PA 15220 in the amount of \$310.00 in payment for Repair of the Ferric Chloride Bin at the Water Treatment Plant, chargeable to and payable from Code Account 1974, Repairs Purification and Pumping Division. Prior approval granted.

Which was read and referred to the Committee on Finance.

Also,

No. 217 Resolution providing for an Agreement or Agreements for a State-of-the Art Electronic Leak Detection/Location Training Program for the benefit of the Department of Water personnel, at a cost not to exceed \$4,100.00, chargeable to and payable from Code Account No. 1982, Miscellaneous Services.

Also,

No. 218 Communication from Daryl Smith, Director, Department of Water, requesting permission for Stanley States and John Kuchta to attend the annual meeting of the American Society of Microbiology in Washington, D.C. from March 23-28, 1986, at a cost not to exceed \$1,890.00, payable from Code Account 1922.

Which were read and referred to the Committee on Water.

Mr. O'Malley presented

No. 219 Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with

the Job Training Partnership Act; providing for the execution of Grant Contracts and for the filing of requisitions and other data; providing for the appointment of the Private of Industry Council and authorization for the Private Industry Council and the City of Pittsburgh to enter into agreements authorized by the Job Training Act; providing for required assurances; providing for execution of payment vouchers and for certification authorized signatures; providing for a contract or contracts with various agencies/employers for services and programs related to training and employment for the Job Training Partnership Act Projects; and providing for the deposit of funds into a bank account. The total amount payable to Summer Youth Employment Program subrecipients under this resolution shall not exceed \$1,456,000.00, chargeable to and payable from the JTPA-2 Trust Fund, federal funds.

Also,

No. 220 Communication from Melanie Smith, Director, Department of Personnel and Civil Service, requesting permission for Bernard M. Schneider to attend the National Public Employer Labor Relations Association's 15th Annual Conference held in Clearwater Beach, Florida from March 16-21, 1986, at a cost not to exceed \$1,400.00, payable from Code Account 1100.

Which were read and referred to the Committee on Finance.

Mr. Pollock presented

No. 221 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Steven T. Branca to attend the Winter Cities Planning Forum to be held in Edmonton, Canada from February 15-20,

1986, at a cost not to exceed \$1,200.00, payable from Code Account 1103.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Wagner presented

No. 222 An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh an advisory referendum question as to whether or not said voters are in favor of the legalization of dog racing and wagering within the City of Pittsburgh, and dividing the revenues gained equally between the State and the City, with the City's share being used exclusively for the reduction of the Earned Income Tax. —(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

The Chair presented

No. 223 Communication from Michael Perry, City Clerk, requesting permission for John R. Mascio, Assistant Capital Budget Controller, to attend the National Community Development Association's Annual Conference in Washington, D.C. from March 18-21, 1986, at a cost not to exceed \$950.00, chargeable to and payable from Code Account No. 1001-1, Miscellaneous Services, Supplies, Equipment, Etc., City Council. The conference will explore the potential impact of the unprecedented tax and budget balancing legislation that has marked the 1st Session of the 99th Congress.

Which was read and referred to the Committee on Finance.

Also,

No. 224 Petition from Chris Spinnenweber, requesting a public hearing before City Council regarding vendors on City Street Corners.

Which was read and referred to the Committee on Public Safety.

Also,

No. 225 Petition from Jim Ferlo, requesting a public hearing on the effects of cuts in Federal Funding caused by the Gramm-Rudman Deficit Reduction Act upon programs serving the people of Pittsburgh. Also, requesting that the hearing be televised on Cable.

Michelle Madoff:

Mr. President, you do know that the Gramm-Rudman bill has been lost in the courts and is being appealed. I think you might be more appropriate to wait before we have a hearing so that we know what we're having a hearing on. Do

you not think that might be appropriate?

The Chair:

Could I do this? Before we discuss that we will discuss it when it comes up in Committee a week from Wednesday.

Michelle Madoff:

It's just that since you said hearings I'm just mentioning that to you.

The Chair:

Right. Then we could discuss it at that time.

Mr. Pollock:

Mr. President, rather than even discuss it in Committee, why don't we ask the City Clerk to contact the petitioners to see if they want to withdraw their petition at this time?

The Chair:

We have to at least bring it up in Committee and then we can make that suggestion.

Mr. Pollock:

Okay.

Also,

No. 226 Communication from the Allegheny County Sanitary Authority, submitting a list of the Sanitary Authority personnel as of December 31, 1985.

Which were read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 227

Report of the Committee on Finance for February 5, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 126

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Casciato Brothers Contractors in the amount of \$7,500.00 in payment of Extra Work, being in addition to the original contract price of \$498,645.00 on Controller's Contract No. 22888, furnished for the benefit of the City in connection with the rehabilitation of various streets and park roads with asphaltic materials, etc. - "B" Program; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 132

A Resolution entitled, "Resolution amending Resolution No. 1230, Item I, approved December 27, 1985, which authorized the sale of property in the 20th Ward, being a 1 Story, Frame Shack, located at 1010 Coverdale Street, designated as Block 19-P, Lot 184, to Gregory V. Capozzi and Kimberly A. Capozzi, his wife, for the sum of \$1,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 133

A Resolution entitled, "Resolution amending Resolution No. 1230, Item I, approved December 27, 1985, which authorized the sale of property in the 28th Ward, being a 2-1/2 Story, Frame house, located at 222 Pringle Street, designated as Block 67-L, Lot 161, to Roy R. Patterson & Concetta A. Patterson, his wife, for the sum of \$5,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Michelle Madoff	(Pres't)

AYES 7 NOES none

(MR. POLLOCK ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 134

A Resolution entitled, "Resolution amending Resolution No. 1189, Item C, approved December 26, 1985, which authorized the sale of property in the 6th Ward, being a 2 Story, Brick house, located at 3716 Liberty Avenue,

designated as Block 26-B, Lot 13, to Raymond S. Schram & Margaret M. Schram, his wife, for the sum of \$2,500.00."

Which was read.

Also,

Bill No. 135

A Resolution entitled, "Resolution amending Resolution No. 1230, Item D, approved December 27, 1985, which authorized the sale of property in the 15th Ward, being vacant land, located at 219-223 Greenfield Avenue, designated as Block 54-N, Lot 312, to Robert L. Davis and Mary Ann Davis, his wife, for the sum of \$1,700.00."

Which was read.

Also,

Bill No. 136

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sales in accordance with Act No. 514 of 1947."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner

Michelle Madoff Mr. Woods
 (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 228

Report of the Committee on Public Works for February 5, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 128

A Resolution entitled, "Resolution granting unto the University of Pittsburgh, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a footer wall encroachment in a portion of the Right-of-Way of Sutherland Drive in the 4th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 129

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contracts for Concrete Slab Replacement at various locations within the City of Pittsburgh, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 130

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, authorizing the resurfacing of various City Streets and Park Roads with bituminous materials, including asphalt milling, planing, regrading, recurbing, and other work incidental thereto; and providing for the payment of the costs thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

Mr. Chairman, on Bill 130 it might be appropriate to mention that they just paved McArdle Roadway and there's a hole so bad that it's knocking every car out of alignment, all the hubcaps are falling off and somebody is going to go over the cliffside.

Could we have whoever's committee that is take care of it today? It is really going to cost the City a bundle. I'm taking my car in for re-alignment. Somebody in front of me had to stop; they lost their hubcap.

Who's department is that? Mr. Givens? It's the upper part of McArdle Roadway. It's a huge hole.

Mr. Givens:

Michelle, I think everyone has the right — We have the Mayor's Complaint Center, we have a Director. Please call it in. I get hundreds of calls this time of the year —

Michelle Madoff:

I thought I had an in knowing you.

Mr. Givens:

You have a good in but I'll tell you, when I call and you call right behind me, Michelle, we've really got an in.

Michelle Madoff:

My administrative assistant will call.

The Chair:

Thank you very much. It will be taken care of.

Mr. Wagner:

Mr. President and members of Council, I request that my comments on Bill No. 130 be brought forward for the Record.

(BEGINNING - MR. WAGNER'S
REMARKS ON BILL NO. 130 -
WEDNESDAY, 2/5/86)

Mr. Wagner:

Discussion. Director, this involves our milling contractor, correct?

Director Gaetano:

Correct.

Mr. Wagner:

That is Swank Construction?

Director Gaetano:

Yes, he had a two year contract that was bidden last year.

Mr. Wagner:

When did that construction contract begin?

Director Gaetano:

Last year, right before we started our paving program. We are talking April or May, I don't remember the exact month, but it was during the milling season.

Mr. Wagner:

How do we determine which streets are milled?

Director Gaetano:

Every street that we pave is evaluated whether it needs milled or not milled, if the street is bad and needs milled to stop the water from coming up over the curb. If the street needs profiled to get a better crown to make the runoff of the water go better, it will be milled. If the sub-base is decent we try and mill and the biggest reason we do mill is to save money. If we mill and you take only an inch and a half off, you don't have to strip the whole street down to the base and then put the total three inches back. So everyone is evaluated on an individual basis as to if it needs milled or not.

Mr. Wagner:

Does the milling contractor have input as to which streets are milled?

Director Gaetano:

No, none.

Mr. Wagner:

Is there a policy or a formula by which we evaluate which streets are milled and if so, is that available to this Council?

Director Gaetano:

Yes.

Mr. Wagner:

Would you please supply me with a copy of that policy for milling?

Director Gaetano:

Yes.

Mr. Wagner:

The reason why I ask, in reviewing many of the streets that were milled last year and repaved -- many streets were milled that I thought did not need to be milled and paved and repaved that essentially had nothing wrong with them and even members of the public, residents on those streets indicated to me that there was no need for paving of these streets. And it makes me wonder if we are following a set policy and we are placing priorities on our streets and whether or not the milling and the paving is being done for other reasons. There are many streets in the City that are in bad shape. There are streets in the City that need I think to be milled, to be paved and I would like to see that happen no matter where they are located, but I am beginning to question why we are milling and why we are paving certain streets and not paving others.

Director Gaetano:

Every street in the City of Pittsburgh that is put on the paving list is evaluated and a number is given on that particular street as to being primary, secondary, the condition of the street, if it needs milled, and everything else and that number then is given a priority. Yes, there are primary streets that will have a higher number than some of the secondary or some of the ways or

the alleys, yet you would go out and look at that alley and say there is a little bit more potholes on this street than there is on the primary, yet the primary is used constantly by vehicles every day and gets a higher value and this is how it is done. Yes, there might be a street here, or there might be a street there; I get a lot of problems from people saying well, my street was worse than their street and yet you did their street, and that happens back and forth.

Mr. Wagner:

Do alleys ever have priority over streets?

Director Gaetano:

No.

Mr. Wagner:

Okay.

Director Gaetano:

But we do do them.

Mr. Wagner:

I would — where in the management's system is the final determination made as to which streets are milled and paved?

Director Gaetano:

Our milling starts with our Street Repair Division. The fact is I have a preliminary listing right now that we are going over and it came up through our system to the Superintendent of Streets and then to my assistant and then to myself.

Mr. Wagner:

The final determination is made by

whom?

Director Gaetano:

Myself.

Mr. Wagner:

Can you reassure me that this year the final determination will be made by you for all streets, you or the Mayor, for all streets that are milled and paved?

Director Gaetano:

Yes.

Mr. Wagner:

One final area. Are you aware that some of your — not some of your, but a management person within your department has a family member working for this milling contractor?

Director Gaetano:

Yes.

Mr. Wagner:

Are you aware that Democratic Committee people are working this contractor?

Director Gaetano:

No.

Mr. Wagner:

I would suggest that your investigate and look into whether or not there are associations or ties with this City working with this particular contractor. And I say that for valid reasons and my information is extremely valid.

Director Gaetano:

I can't stop a private contractor from hiring committee people; I can't stop him from hiring anybody he wants to hire. That is his right to do that. I do not ask him to hire these people. I don't know who is asking him to hire these people, but I can't stop him from saying who he wants to work for him. All the people that work for that general contractor go through that union, they are all union people and I can't stop the union as to who they put on or who the contractor hires. I can't do that.

Mr. Wagner:

I agree with you. However, as Director of the Department of Public Works and as a City of Pittsburgh that is paying a contractor \$900,000 a year, there should not be people hired that obviously appear to be selectively picked by people in this City rather than the contractor itself or the union itself and what I am suggesting is that there needs to be a greater scrutiny placed on the management of these contracts with these companies. All of my information indicates that Swank does a good job, they do a professional job. However, I want to be certain that there is no violation of the ethics of government when it comes to top management people of this City appearing to have input as to who is hired by companies that have contracts with this City. What I am suggesting is that there needs to be a detailed investigation made to determine if that is happening with this contract or with any other contracts within the City. I would not be saying that if I was not standing on solid ground. I am standing on solid ground and I know I am or I would never say it publicly. I would like to see, I would like to make sure that the same thing does not happen this year that has happened last year because I can assure you that any legislation that

comes in front of this Councilmember, I will not approve. I will not cast my positive vote if I see that happening in the future.

One final comment. Director, I have total confidence in you as an individual and as a Director and I want to state that publicly and I respect you very much. My concern goes beyond that as you know and it goes to other people having more input than they should in the operation of the Public Works Department. I am not in any way saying something that I haven't said before privately or publicly. I believe in professionalism in various departments and I believe that you have that capability within your department. My only concern is that that professionalism is exhibited and if it is I certainly will back it up here at this table in support of what you do. I just want to be sure that policies and procedures are in existence to make decisions as to what streets need to be milled, what streets need to be paved. I think there also needs to be a clean, clear relationship with our contractors and we should not have ties with contractors, with management people. If we do, it casts a bad reflection on this City. It has happened in the past and my hope is it will not happen in the future.

(END OF REMARKS)

Mr. Wagner:

I'd like to further state that I did request last week that a policy be provided to us as to the determination on which streets are milled and which streets are not milled. As of yet I have not yet received that. I think it's important that Council know procedurally how the Administration determines which streets are milled and then the follow-up of milling being the paving.

I don't want to hold up a piece of legislation but I would like to have that procedure and maybe Mr. Givens could enlighten me as to whether or not that is available to me.

The Chair:

I think at the Wednesday meeting last week that Mr. Gaetano said he would get it up to us. So let's wait until this Wednesday and ask him again. I'll call him myself.

Mr. Wagner:

Are you advising, then, to hold the legislation one week?

The Chair:

No. I'm saying let's pass the legislation and make sure we have an answer by Wednesday off of Mr. Gaetano.

Mr. Wagner:

Okay, I can go along with that. I would also like to state, though, publicly for the Record that the concerns that I made last week in regard to Bill No. 130, and people working for Swank Construction Company, which does the milling contract, as related to management people within the City of Pittsburgh, I think my comments last week were very clear and very much to the point and I don't want to be redundant in regard to that. However, I am going to make a request in writing to the Mayor to ask the Administration to please investigate the matter. Things that have been done in the past I don't believe can be corrected but I do believe that we can prevent a redundant, repetitive situation to exist in the future. So, I want all of you to know that that will be the course of action which I take.

Michelle Madoff:

Mr. Chairman, with reference to a street that has just been paved or a sidewalk that's been put in, if its not been done in-house, if its done by a contractor, sub-contractor, isn't there some guarantee that the work has to last at least one season? I want to know who did McArdle and I want to know when they're going back to fix it. It is not just a pothole; it is a mineshaft.

The Chair:

Mike, on both counts, a letter to Lou and a call to Lou that we want that milling information by Wednesday.

Mr. Givens:

On Bill 130, I would like my remarks to be brought forward from Wednesday's meeting.

**(BEGINNING - MR. GIVENS' REMARKS
ON BILL NO. 130 - WEDNESDAY,
2/5/86)**

Mr. Givens:

I would like to say, if I might, that as Chairman of this Department that the number of streets we have done over the last eight years in the City of Pittsburgh, we have been averaging somewhere between 75 and 100 miles of street. I believe some latter years we have done maybe 50 miles, but if you consider that the City of Pittsburgh having about 900 and some miles of roadways, we have almost done the whole City of Pittsburgh within the last eight years and a street normally lasts, we hope, for 20 years. But we know that, as we can see out there today, what the first thaw since a long freeze period that we are beginning to get some holes in our roadways out there. So, we have done a tremendous job, I feel, and Lou has done a

tremendous job and I have never personally heard anything about any of our contractors as far as doing their job as prescribed by the contract that was issued to us. I think all of us have driven through the City of Pittsburgh and seeing our own crews as well as contracting crews out there and there is nobody that I have ever seen leaning on a shovel.

(END OF REMARKS)

Also,

Bill No. 131

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the rental and repair of equipment in connection with the City of Pittsburgh's Capital Construction Division, and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 229

Report of the Committee on Planning, Housing and Development for February 5, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 141

A Resolution entitled, "Resolution amending Resolution No. 1079, approved November 29, 1979, entitled: 'Authorizing the Mayor and the Director of the Department of City Development to enter into a Contract or Contracts with the Selck-Minnerly Group, Inc., for design work in conjunction with the Strip District Development Study, at a cost not to exceed \$12,000.00,' by decreasing the allocation from \$12,000.00 to \$6,169.41."

Which was read.

Also,

Bill No. 142

Resolution amending Resolution No. 898, effective October 3, 1985, entitled: 'Providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1985 Community Development Block Grant Program, and providing for the payment of the cost thereof,' by increasing the allocation from \$120,000.00 to \$133,830.59."

Which was read.

Also,

Bill No. 143

A Resolution entitled, "Resolution amending Resolution No. 1015, approved November 15, 1979, entitled: 'Authorizing the Mayor and the Director of the Department of City Development to enter into an Agreement or Agreements with Hammer, Siler, George Associates for the Food District Development Study, at a cost not to exceed \$25,000.00,' by decreasing the allocation from \$25,000.00 to \$20,000.00."

Which was read.

Also,

Bill No. 144

A Resolution entitled, "Resolution amending Section 1 of Resolution No. 43 of 1976, as previously amended by Resolution No. 45, 48, 109, 162, 167, 586 and 633 of 1976, and by Resolution No. 39 of 1979, and by Resolution No. 440 of 1980, and by Resolution No. 554 of 1982, entitled: 'Providing for the establishment of program categories for the Community Development Block Grant Program Trust Fund and the Model Cities Program Trust Fund,' so as to decrease the program category 'Parks and Recreation' from \$3,111,072.39 to \$3,109,510.44 and to increase the program category 'Unspecified Local Option' from \$1,489,727.61 to \$1,491,289.56 (+ 1,561.95)." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 145

A Resolution entitled, "Resolution

amending Resolution No. 1046 of 1976, as previously amended by Resolution No. 551 of 1977; Resolution Nos. 595 and 596 of 1978; Resolution No. 591 of 1979; Resolution No. 1418 of 1981; and by Resolution No. 151 of 1982, entitled: 'Providing for the filing of an application by the City with the U.S. Department of Housing and Urban Redevelopment for a grant in connection with the 1977 Community Development Block Grant Program,' by decreasing several line items and adding the 'Department of Engineering and Construction-East Liberty Mall' project." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 146

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1267 of 1977, as previously amended by Resolution Nos. 483, 829, 999 and 1563 of 1978; by Resolution Nos. 252, 308, 590 and 706 of 1979; by Resolution Nos. 352, 448 and 1191 of 1980; by Resolution Nos. 560, 888 and 1363 of 1981; and by Resolution Nos. 418 and 911 of 1982 entitled: "Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program,' by decreasing several line items and adding the 'Department of Engineering and Construction-East Liberty Mall' project." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 147

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1549 of 1978, as previously amended by Resolution Nos. 251, 517, and 649 of 1979; and by Resolution Nos. 286 and 1192 of 1980; and by Resolution No. 1203 of 1981; and by Resolution Nos. 393 and 1013 of 1983 entitled: 'Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1979 Community Development Block Grant Program,' so as to reduce line items and further to add the 'Department of Engineering and Construction-East Liberty Mall' project." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 148

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979, as previously amended by Resolution Nos. 504, 635 and 1065 of 1980; by Resolution Nos. 316, 797, 1201, and 1419 of 1981; by Resolution No. 416 of 1982; by Resolution Nos. 889 and 1134 of 1983; and by Resolution No. 150 of 1984, entitled: 'Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1980 Community Development Block Grant Program,' by decreasing several line items and adding the 'Department of Engineering and Construction-East Liberty Mall' project." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 149

A Resolution entitled, "Resolution amending Resolution No. 1439 of 1981, as amended by Resolution Nos. 402 and 1144 of 1982, and by Resolution No. 933 of 1983, entitled: 'Approving the submission and budget for the 1982 Community Development Block Grant Budget,' by decreasing several line items and adding the 'Department of Engineering and Construction-East Liberty Mall' project." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 150

A Resolution entitled, "Resolution amending Section 10 of Res. No. 167 effective March 7, 1983, as previously amended, entitled: 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1983 Community Development Block Grant Program,' so as to adjust several line items and create the 'Department of Engineering and Construction-East Liberty Mall' project." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 187

A Resolution entitled, "Resolution authorizing the submission of enterprise development applications with the Commonwealth of Pennsylvania Department of Community Affairs for

financial assistance and area designation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 230

Report of the Committee on Public Safety for February 5, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 152

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a consortium of municipalities (hereinafter "CAD consortium") for the purposes of jointly

designing, developing, testing and implementing computer-aided dispatching (CAD) software for the Department of Public Safety, at a cost not to exceed Thirty Thousand (\$30,000.00) dollars."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 231

Report of the Committee on Engineering and Construction for February 5, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 9

A Resolution entitled, "Resolution

Repealing Resolution No. 644, effective August 1, 1983, entitled: 'Providing for a Contract or Contracts for the Sewer Reconstruction and Intersection Chamber at Saw Mill Run Boulevard and Library Road, including work on private property and other work incidental thereto; and providing for the payment of the cost thereof.'

Which was read.

Also,

Bill No. 127

A Resolution entitled, "Resolution further amending Resolution No. 567, effective June 27, 1977, as amended by Resolution No. 692, effective July 29, 1980, entitled: 'A Resolution providing for a Contract or Contracts or the utilization of existing Contracts for the rehabilitation of various City Streets, "B" Program including paving and providing for the payment thereof,' by increasing to total project allocation by \$8,750,21."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Givens:

Mr. President, if I might invite up to the podium here Mr. Wayne Whiting who is the Acting Director for the Highland Drive Hospital and accompanied by Bobby Lee.

Mr. Givens presents

No. 232 WHEREAS, Almost thirty million Americans living today are veterans of the Armed Forces of the United States; and

WHEREAS, a million and a quarter veterans are admitted each year to Veterans Administration Medical Center across the country; and

WHEREAS, the national salute to hospitalized veterans is organized to recognize and pay tribute to the many men and women in Veterans Administration Medical Centers across the country who are facing personal battles of illness, pain and loneliness; and

On February 14, 1986 the Veterans Administration is celebrating the 1986 national salute to hospitalized veterans at the Highland Drive Medical Center; and

WHEREAS, each of us should seek ways to express our collective appreciation for their service and sacrifice; and

WHEREAS, we should take time from our busy schedules for even a short visit to our many forgotten patients.

NOW THEREFORE, be it resolved

that the Mayor and Members of the Council of the City of Pittsburgh join the nation in honoring and recognizing the veterans who are admitted each year to the Veterans Administration Medical Centers and together let us show our thanks for their service and their great sacrifice.

Mr. Givens moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Givens:

If I can, Mr. President, I'd like Mr. Whiting to come up here and say a few words on behalf of our veterans that are here in the Greater Pittsburgh area.

Mr. Whiting:

Mr. President, Councilman Givens, thank you for inviting us today and thank you for passing this resolution honoring our veterans who are now hospitalized in our hospitals across the country.

There are a series of activities that are being conducted during the next two weeks that are designed to bring attention to the veterans that we have hospitalized in the Pittsburgh area and across the country and one very important part of those programs and those activities is visitation by people in the community and it's particularly important to those veterans who, for various reasons, have limited contact with either family or friends. Your visitation, whether it's just for a few minutes or for an hour, is very much appreciated. I've noticed myself over the past few years with Councilman Givens who, I think, again this year is going to come visit us this coming Friday, the veterans react very

positively and really enjoy the time spent with them.

So, again, thank you very much for the resolution.

Mr. Lee:

I just want to add, on behalf of our many hospitalized veterans, employees and volunteers at the Highland Drive Medical Center, we want to thank especially Councilman and Mrs. Givens who have been coming up to the hospital throughout the year visiting our hospitalized veterans. Thank you.

Mr. Givens:

It's interesting to note that the Highland Drive where these gentlemen come from have a little over between five and six hundred some patients. Then we have the medical center up here by the University of Pittsburgh along with one other medical facility right within our immediate area with another couple hundred people.

I have the great privilege to have gone through that particular medical system when I was discharged from the U.S. Air Force and I can assure you both that this hospital and other veterans hospitals in San Diego and Philadelphia that I have gone through, that when you're there by yourself, and many of these people, these are regional hospitals, people come in from Ohio, West Virginia, Western Pennsylvania, and it's a long trip for many family members to come in. So, when we here from our local community, and especially veterans within this Council, take a little bit of time out to go up and see these veterans, I mean they really, really do appreciate it.

Being one who has volunteered in this hospital system, you can see it, the

people at the hospital can see it. I mean, they look forward for weeks on end to the various events that the Veterans Administration has put on for the patients that are up there. But when the people come, not the volunteers, but the people who come off the street maybe that one time a year, it really means something very dear to all the veterans.

For Mr. Whiting and Mr. Lee to take back with you, I have two resolutions here. If you could, put the on the wall someplace, in the day room, where the men and the women have an opportunity to take a look at them. Let them know how the people of the City of Pittsburgh, via this Council, feel about them.

Thank you very much.

The Chair:

Thank you.

Michelle Madoff presents

No. 233 WHEREAS, on January 28, 1986, the explosion of the manned space shuttle resulted in the loss of seven lives; and

WHEREAS, these seven brave astronauts:

Francis Scobee
Michael Smith
Judith Resnik
Ellison Onizuka
Ronald McNair
Gregory Jarvis
Christa McAuliffe

represented a cross-section of America; and

WHEREAS, Judith Resnick was a graduate of Carnegie-Mellon University, one of Pittsburgh's distinguished

institutions; and

WHEREAS, the accomplishments and achievements of these seven astronauts must be recognized;

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh join the citizens of Pittsburgh in mourning the loss of these seven outstanding Americans and honor their memory.

Michelle Madoff moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Michelle Madoff:

The next item is a resolution that is the outgrowth of my being in my automobile and hearing K. Leroy Irvis on the news expounding on an issue that I have some very strong feelings about. There has been a task force formed that will be addressing some of the issues and one is only to follow what was going on in the papers and the issues of what is happening in the papers to know that we have a crisis in Western Pennsylvania, particularly in the Pittsburgh area. We've lost 40,000 in the last ten years; we're going to lose, according to the experts, another 30,000 and I wonder whether Governor Thornburg remembers that he came from Pittsburgh, from Point Breeze.

Michelle Madoff presents

No. 234 WHEREAS, the Thornburg/Scranton Administration in Harrisburg is intent upon proposing grandstand tax decreases which will, in actuality, mean no more than 38¢ per

week to the average taxpayer; and

WHEREAS, the Thornburg/Scranton budget proposals would reorder spending priorities, in some cases taking credit for the initiatives which would have to be funded by the next 5 to 10 General Assemblies and 3 to 5 governors; and

WHEREAS, Speaker of the Pennsylvania House K. Leroy Irvis has gone on record stating that such individually meaningless tax cuts (which amount to approximately \$120 million in the aggregate) or the reordering of budget priorities this year could have significant impact if used constructively and immediately to encourage entrepreneurs and major developers to invest in the economy of endangered areas such as Pittsburgh; and

WHEREAS, the Council of the City of Pittsburgh shares with the 48 year Representative of the Hill District K. Leroy Irvis' concern for tax cut opportunism and reliance on a succession of future elected state officials at the expense of economic and job development;

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh supports Speaker Irvis' position that State income tax cuts of 38¢ per person or a massive reordering of State budget priorities could be far better spent to give a significant thrust this year to:

Strategy 21 Projects
The Entertainment Center
North Shore Development
(spearheaded by innovative concepts such as the Buhl Science Center)
Investment in the Convention Center
Construction of the Midfield Terminal

Continued revitalization of Station Square

Development of the Mt. Washington Area

(as our major tourist attraction)

and

Other projects presently being discussed by members of the Mayor's Task Force on Entertainment Center Development

Michelle Madoff moved to adopt the resolution.

Mr. Pollock seconded the motion.

Michelle Madoff:

I would hope that this would be sent to all the legislators and to the Governor as quickly as possible. If there's any delay, I would move that the one to the Governor go as a Mailgram today.

Mr. Grabowski:

Discussion. Mr. President, having served two terms in the Legislature, I'm all too familiar with the underlying considerations that go along with, perhaps, the radio announcement that my colleague indicated she heard. It's basically political and I don't think that I will ever criticize any administration if they can find ways to cut taxes. Based on that, I cannot vote in favor of Ms. Madoff's resolution.

Michelle Madoff:

May I respond, Mr. President? I've heard from very reliable sources that the Governor would like to go out of office saying that his taxes are lower than when he came into office. The fact remains that he could still accomplish the same thing but give us a large sum of money for infrastructure and to make this City a place where 40,000 are leaving and

30,000 more planning to leave but come back. The difference of the \$18 a year to the average person is not going to make a whole lot of difference but it's going to make a tremendous difference, and you notice I didn't touch on rebate that he's offering tax cut to industry because they do generate jobs and you're right, it is political, and it's political in the worst sense of what represents politics.

That \$120 million should come back to this community. We have a task force; we're trying to do things, we're trying to back the Mayor. That's what Mr. Leroy Irvis is saying and I think that all we're saying is don't give us piddley amounts so you can say, "Look, I lowered your taxes" but really do something to build this community. And it was not an announcement; it was an interview that I happened to turn on my radio and hear Mr. K. Leroy Irvis expounding and I think if we don't support him we're very foolish and I would urge my colleagues to support his position.

Mr. Grabowski:

I'd like to make one further comment. There are about 12 million people in this state and if Pittsburgh receives its proportional share of this \$18 per year, I don't think it will amount to a great deal that we can do the North Shore and the Strip and the other projects that you outlined there.

Michelle Madoff:

According to Mr. Irvis, and I have talked to his staff who have done the homework, they say it's \$120 million. Mr. Wagner who helped organize the task force, it was his idea. Could we use \$120 million to get some of our projects going or would you rather have \$18 a year in your salary?

Mr. Wagner:

Councilwoman Madoff, I like the idea behind the resolution but Councilman Grabowski brings up a good point. The \$120 million wouldn't go totally to our area and I personally would like to see us zero in on that figure more. If it's \$15 million, \$20 million, whatever it is, then identify that, get a handle on it, and then send the resolution to the appropriate people. I think it's misleading with \$120 million right now.

Michelle Madoff:

You hit it right on the head, Jack. Some millions are better than no millions and the \$18 a year and the 38 cents a year are not going to make the difference. I think we need to support Mr. Irvis in this battle because he is fighting for Western Pennsylvania. He remembers his roots; he knows where he's from. I use to socialize with our Governor; he lived right near me. He's forgotten our community. And just to make him look good with \$18 or with 58 cents is not the answer. That \$15 million would go a long way, or \$20 million, and my understanding is that it's a lot more million than that that would come to Western Pennsylvania.

The amount isn't the issue; the issue of let's get a large sum as opposed to having a rebate to the individual. That is what the resolution states. And, incidentally, it was drafted out of his office.

Mr. Wagner:

What if we were to amend it to say that the proportionate number of dollars relating to the immediate area of Allegheny County and Western Pennsylvania would be devoted to economic development projects and the development of jobs rather than the \$120

million figure?

Michelle Madoff:

I couldn't agree with you more. He was just giving a figure of how one translates to the other. The concept of the resolution is very clear; it's exactly what you just said. We're all in agreement, I think most of us are in agreement, and that is that we should give the money to the projects as opposed to the individuals. I'll forfeit my \$18 or better a year and I think it will not make a significant difference to most people, even indigents, because they're not going to get \$18 back, they're going to get a lot less, to at least create some jobs for them and give them some pride, some dignity, and create jobs. To the unemployed and underemployed in this City it is very discouraging and I would hope that this would not become a political battle between my colleagues and myself and vote, and that's why I'm stating it as Mr. K. Leroy Irvis's position.

I would accept that as an amendment to the bill. I'm not married to the words and I don't think Mr. Leroy Irvis is married to the words either. It's a concept.

Mr. DePasquale:

One question, Michelle. Did Speaker Irvis state that the said projects should have a priority?

Michelle Madoff:

Yes, sir. I spoke to him personally.

The Chair:

Is there any other discussion?

All in favor? Opposed?

Mr. Grabowski:

Opposed.

Mr. Givens:

I abstain.

WHICH MOTION PREVAILED.

Mr. Wagner:

Mr. President and members of Council, last week I presented to all of you a report on the river rescue operation of which there were an analysis and ten recommendations to be made to various department heads as to how we can improve that river rescue operation so that we do not have a repeat occurrence of approximately three or four weeks ago and one year ago.

At that time, Mr. Woods indicated that prior to this receiving the official approval of Council, all of you would like a week to take a look at it. I have sent this to the department heads but I think it is much more meaningful if it has the support of all of you rather than just me.

So, I would simply like to make a motion that we support the enactment of the items listed in those recommendations so that the Administration can move forward on them.

Mr. Pollock seconded the motion.

Mr. Givens:

Jack, last week when this issue came up, and I only brought it up for one purpose, and that is our legislative prerogative versus that of the executive prerogatives in almost four or five or six or seven of your lines you say "will". I don't think it's in our -- You know, the

intent is there but Council, as far as my interpretation and I'm sure the legal interpretation is that we cannot direct the Administration to do something. We can ask them to do it and, of course, Council always has prerogatives that we can use in order to have the Administration listen to our desires. But it's very difficult for me to say yes, we're going to adopt this in resolution form when we're directing the Administration to do certain things. So many of those were, you "will" do this and it's signed by you. So, if I then agree to that, I'm saying to the Administration, "You will do this." and that is not within the structure of our government to do that and that's my only problem.

Mr. Wagner:

Mr. Givens, I indicated, and in reading it, you're right, seven out of the ten indicate "will". For instance, the last item and probably the least important of them all. The Public Safety Department will investigate the availability of the Allegheny County boat to be used as a back-up rescue craft. The seven of the ten where the word "will" is indicated, commitments, verbal commitments were made by the respective directors at the post agenda to do that and the other three out of the ten where that is not indicated, I am simply suggesting myself, as a result of the post agenda, that those actions be taken. So, I'm not saying they must do this if they didn't already commit to doing it publicly. And they have.

Mr. Givens:

Again, Jack, they're saying something to you in the post agenda which is an informal Council gathering. If you were to bring them up to the Council as a body for a public hearing, if you feel that strongly about it where it's on the official record. But, again, the

intent and the purpose is there. I think the purpose that you wanted to have the post agenda was accomplished. You got commitments from the various directors and departments and rightfully so and I think that's where it should lie. I think the Administration should now react and if you find in your continuing on investigations that some of those "wills" that they said they will do it, have not been accomplished, then fine and dandy.

I think all it should do is just go down as simple communication to all the various directors. I think you sent it to all the Councilpeople; they have it. I think now what we want to do is just to follow on. Otherwise, all of us are going to get into a baliwick and previous attempt of this nature, Mr. President, for your own information, in years gone by, was always, normally voted down and asked to communicate as Councilpeople have the right to communicate for, in fact, our constituency out here, to communicate to the directors. And then if we don't see them reacting to this, then I think we have some cause to really bring them up before the whole body and make sure that certain actions are taken because we do appropriate the money for the Police Department, the Fire Department, the EMS Department, and yes, we do have a certain right to be assured that that money is being spent properly. That is our job.

But again, we cannot direct, and Jack, I appreciate what you were saying there but to me it's in fact redundant and the fact that they said they will do it. If they do not do it then I think you should make this body aware of that and the body take appropriate action.

Michelle Madoff:

I want to say the same thing today that I said to Mr. Wagner last time. We're haggling over words, not the

intent, and now we're haggling over process. It is not appropriate, nor do I believe it is legally correct, to have a will of Council vote, floor motion, on legislation. It is appropriate now, since you have the commitment, to introduce legislation which is "will" and I for one am going to vote with you. To just say we're going to send a letter to them saying that they should do it because we voted for them to do it is not the appropriate format. I think if we asked our legal advisor, the proper format is now to follow through with legislation, just go through the routine, normal procedure, and I'm sure you'll have the support of the majority of this Council. I wouldn't even fight over it because you've won it already. Let's just go with it.

Mr. Wagner:

We have not yet solved our problem. Just to go back a little bit, about seven years ago it took two off-duty police officers with a broom and a boat sitting alongside the river to rescue someone that had fallen or jumped into the Monongahela River. Two years ago the same situation occurred. We had no rescue boat and the person died. Three weeks ago, a situation occurred in the Allegheny River. The person is still in serious condition in the hospital.

I, as a Councilmember, and Chairman of Public Safety, will not permit any longer for this not to go on record as the solution to the problem. I had made my investigation and I am making a report; the Charter gives me the permission to do that. I'm simply asking all of you to support the recommendations of the investigation.

Coming from me as one member, I'm one out of nine — This Council does not have any authority unless the majority really supports something. If

that's what it takes to say, will do this, must do this, it is mandatory to prevent a re-occurrence, I'm willing to do that. I'm willing to step out and do it. If we permit the same situation to exist one more time, I think all of us, meaning not only this Council but this entire City, are not meeting up to our responsibilities.

Therefore, I'm simply stating that the report is here, I'd like all of you to support it. If you do, it has more meaning.

Mr. Pollock:

I think the fact that Mr. Wagner took his Chairmanship seriously enough to investigate this problem, took the time out to call all the appropriate directors and people concerned, to come before Council and then prepare this report, whatever the language is, I think it's important and incumbent upon all of us, in the interest of the public safety of the City of Pittsburgh, that we give this post agenda report the full force and effect of this entire body and that the people concerned and affected by it, whether they gave assurances to Mr. Wagner at the post agenda or not, will know that the entire City Council supports these findings and that the proposals and planned solutions be put into effect immediately. And I think that a unanimous vote, which I hope we have, will give this message to the appropriate people.

The Chair:

Mr. Wagner, maybe this will help solve the problem for everybody and make everybody comfortable. If you would just re-write it and say you committed to these things at the post agenda, now we expect you to carry them out. That might solve Mr. Givens' problem, it would solve everybody's problem. It's the same thrust. It's

stating in there that they have committed, like you said, now it's in writing, and now we expect for these commitments to be carried out. I think that would solve everybody's problem.

Mr. Wagner:

Well, Mr. President, I have indicated, prior to the recommendations, the items discussed at the post agenda and the efforts to be taken include, and then I sum up the report by saying that many of these ideas were yours. And they were. And many commitments that were made were your commitments. Only three out of the ten there were not commitments made; number 2, number 3 and number 4. And I do not indicate "will do" in any one of them.

So, it's a matter of rhetoric and dialogue here and I'm going to follow up on them whether or not this Council supports the recommendations. I can assure you that.

The Chair:

Can you change from "you will" to "we expect" or "I expect" and that would help Mr. Givens out a tremendous amount. And I'd like to see it go down with everyone's name on it also. Just that; instead of "you will" to "we expect". That would solve the problem.

Michelle Madoff:

After eight years on this Council, Councilman Wagner, unless you introduce legislation which becomes the law of this City, you don't have the clout to accomplish exactly what you want to do. You are right; it is long past due and we need "will" not "may", "would you think about it", "we'd like you to", "we're glad you promised", "thank you for your promise and commitment at the meeting".

You introduce legislation; it goes through the process on Wednesday. We'll waive Rule 8 and speed it up, and then it is, whether they want to do it or not, we do it.

I can assure you, if Michelle Madoff had introduced your letter as a report and said "you will", we wouldn't even have had this much conversation on it. It would have been, "You're out of order; you have to introduce legislation." That's the way it is; let's introduce the legislation.

The Chair:

That's not the way it is, Michelle.

Michelle Madoff:

But we do need to introduce legislation to make this a reality. Would you agree with that?

The Chair:

If Mr. Wagner wants to introduce legislation I'm sure he's going to do that.

Now, are we finished discussing this letter? Mr. Wagner, will you change it to "we expect" instead of "you will"?

Mr. Wagner:

Mr. President, I refuse because they indicated to me verbally that they will. To me, that is their commitment and I am not going to back off on this issue.

The Chair:

Fine.

Michelle Madoff:

One question. Mr. Wagner, do you plan to introduce legislation?

Mr. Wagner:

Several of the items do not relate to legislation; they are administrative matters.

Michelle Madoff:

On the items that do? On the others?

Mr. Wagner:

Two of the ten pertain to legislation.

Michelle Madoff:

Are you going to introduce legislation?

Mr. Wagner:

Yes.

Michelle Madoff:

And the others you're just going to hope that they do it?

Mr. Wagner:

Well I simply am suggesting publicly on the Record that they do it and, like I said, in most they've made the commitment but I want them to know this body supports it.

Michelle Madoff:

What if they don't do it?

Mr. Wagner:

If they don't do it then we're have another post agenda in two months.

Michelle Madoff:

And then you'll start thinking about

introducing legislation?

The Chair:

Direct your comments to the Chair. You've asked a question, he's answered.

Michelle Madoff:

Okay, to the Chair. May I strongly suggest that we have legislation. Accept the report and go on with legislation.

The Chair:

Right now I am going to call for the vote.

All in favor? Opposed?

Mr. Givens:

I abstain.

WHICH MOTION PREVAILED.

Mr. Wagner:

There was a memo sent out by Mr. Perry directed by the President to all department directors in regard to being present at Committee Meetings. For some reason, the Director of Public Safety -- is he on this? I see the various chiefs and I don't know if he's on this or not.

The Chair:

He should be.

Mr. Wagner:

Okay. I'm not certain.

The Chair:

If he's not we'll make sure he gets a letter.

Mr. Wagner:

Alright. Fine.

Michelle Madoff moved to excuse Mrs. Masloff for absence from the meeting.

Mr. O'Malley seconded the motion.

Which motion prevailed.

And on the motion of **Mr. DePasquale**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX Monday, February 17, 1986

No. 7

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, February 17, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods (Pres't)

ABSENT:

Mrs. Masloff

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

Michelle Madoff:

I understand that Sophie Masloff is in the hospital.

The Chair:

No, she's home.

Michelle Madoff:

Has anything been sent to her from the Council? I sent her some flowers but it would be very nice if we, as a body, sent something. Would you authorize that?

The Chair:

Yes, I did myself.

PRESENTATIONS

Mr. DePasquale presented

No. 235 Resolution providing for the issuance of a warrant in favor of Dick Corporation (John R. Kudrna, Sr. Vice President) in the amount of \$18,250.00 in payment of an Emergency Contract for the Repair of a Pin Connection on the Fort Pitt Boulevard - Eastbound, Span No. 16, payable from Code Account PW 86-30. Prior approval granted.

Which was read and referred to the Committee on Finance.

Also,

No. 236 Resolution Repealing Res. No. 285, effective March 29, 1985, entitled: "Providing for a Contract or Contracts, or use of existing Contracts, for the design and installation of a

sprinkler system and fire door for the Eazor Garage Paint Shop, at a cost not to exceed \$3,500.00, chargeable to and payable from Code Account EC 85-66," is hereby repealed in its entirety.

Also,

No. 237 Resolution providing for a Contract or Contracts or use of existing Contracts for Renovations to a portion of the third floor, Public Safety Building, Police Administration Offices, at a cost not to exceed \$265,000.00, chargeable to and payable from Code Account EC 85-71.

Also,

No. 238 Resolution providing for a Contract or Contracts, or use of existing Contracts for the 1986 Spring Street Tree Planting Program at various locations within the City of Pittsburgh, at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account EC 84-10.

Also,

No. 239 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting permission for Alex Sciulli to make a presentation for Engineer's Week at the University of Pittsburgh's Johnstown Campus on March 20, 1986, at a cost not to exceed \$50.00, payable from Code Account No. 1482.

Also,

No. 240 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting permission for Anthony Kubit to attend the Highway Capacity and Quality Flow Training Seminar in Baltimore, Maryland from February 24-28, 1986, at a cost not to exceed

\$580.00, payable from Code Account No. 1482.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 241 Resolution providing for the issuance of a warrant in favor of J-Jac Construction Corporation in the amount of \$3,000.00 in payment for Extra Work (Rehabilitation of Concrete Street Pavements, Sidewalks and related facilities - various locations within the City of Pittsburgh), chargeable to and payable from Code Account PW 84-02.

Which was read and referred to the Committee on Finance.

Also,

No. 242 Resolution amending Res. No. 1210, approved December 27, 1983, effective January 1, 1984, entitled: "Adopting the 1984 Capital Budget and the 1984 Community Development Block Grant Program, and approving the 1984 through 1989 Capital Improvement Program," by transferring a code account from the Department of Public Works to the Department of Engineering and Construction.

Also,

No. 243 Resolution granting unto Paper Packaging Inc., their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a fence and loading area on a portion of the right-of-way of Martindale Street in the 22nd Ward of the City of Pittsburgh.

Also,

No. 244 Communication from

James N. Walker, Director, Department of Environmental Services, requesting permission for Phyllis Gibson to attend the Executive Committee Meeting of the Pennsylvania Vector Control Association in Carlisle, PA, from March 18-19, 1986, at a cost not to exceed \$300.00, payable from the Rodent Control Program Account.

Which were severally read and referred to the Committee on Public Works.

Also,

No. 245 Resolution urging Duquesne Light Company to replace their faulty lighting system in the vicinity of Panther Hollow Bridge and nearby ramps in Schenley Park. — (SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Public Works.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Mrs. Masloff presented

No. 246 Resolution providing for the issuance of a warrant in favor of Scott Electric for electric supplies in the amount of \$787.14 for the Pittsburgh Zoo, chargeable to and payable from Code Account 1852, Miscellaneous Services, Department of Parks and Recreation.

Also,

No. 247 Resolution authorizing

the issuance of a warrant in favor of Lewis Brothers and Sons, Inc., in the amount of \$6,299.30 in payment for the purchase of steam tables, thermometers and carts for the Department of Parks and Recreation Senior Centers, chargeable to and payable from the Senior Citizens Program Trust Fund, Department of Parks and Recreation. Prior approval granted.

Also,

No. 248 Resolution authorizing the issuance of a warrant in favor of Herbert K. Barnett Photography in the amount of \$380.00 in payment for 200 posters of Phipps Conservatory (overrun), chargeable to and payable from Code Account PCTF, Phipps Conservatory Trust Fund, Department of Parks and Recreation.

Also,

No. 249 Resolution authorizing the issuance of a warrant in favor of Vics Boat Park in the amount of \$500.00 in payment for the salvaging and storage of one (1) Boat Dock during the floods in November of 1985, chargeable to and payable from Code Account 1801, Miscellaneous Services, Department of Parks and Recreation.

Also,

No. 250 Resolution transferring the amount of \$1,000.00 from Code Account 1838, Miscellaneous Services to Code Account RODTF Recreation Organization and Development Trust Fund, Department of Parks and Recreation. These funds will be used in contracting for an Employee Appraisal Program in the Bureau of Recreational Activities.

Also,

No. 251 Resolution transferring the amount of \$25,000.00 from Code Account 41, Refunds Real Estate Tax in the Department of Finance to Code Account RODTF Recreation Organization and Development Trust Fund in the Department of Parks and Recreation. These funds are needed to enter into a contract for an Employee Appraisal Program in the Department of Parks and Recreation.

Which were severally read and referred to the Committee on Finance.

Also,

No. 252 Resolution providing for an Agreement with JGS Associates, for professional services in connection with the Employee Performance Program in the Department of Parks and Recreation's Bureau of Recreational Services, at a cost not to exceed \$26,000.00, chargeable to and payable from Recreation Organization and Development Trust Fund.

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 253 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing and delivery of various park maintenance equipment for the Department of Parks and Recreation, at a cost not to exceed \$33,100.00, chargeable to and payable from Code Account 1808, Equipment, Department of Parks and Recreation.

Also,

No. 254 Resolution providing for the letting of a Contract or Contracts for the furnishing and installing a misting system at Phipps Conservatory, at a cost

not to exceed \$12,000.00, payable from Code Account PCTF, Phipps Conservatory Trust in the Department of Parks and Recreation.

Also,

No. 255 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing and delivery of twenty (20) Lawnmowers and fifteen (15) two/four wheel tractors for the Department of Parks and Recreation, at a cost not to exceed \$63,900.00, chargeable to and payable from Code Account 1808, Equipment, Department of Parks and Recreation.

Which were severally read and referred to the Committee on General Services.

Also,

No. 256 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Marianne C. Zebrowski to attend the Revenue Sources Management School in Oglebay Park, West Virginia from March 9-14, 1986, at a cost not to exceed \$500.00, payable from Code Account No. 1801. Use of a City vehicle is also requested.

Also,

No. 257 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Randolph Goodlett to attend the Professional Management Development Course in Wheeling, West Virginia, from February 2-8, 1986, at a cost not to exceed \$675.00, payable from Code Account No. 1852. Prior approval granted.

Also;

No. 258 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Dan Dziubek, Laura Hendrickson, Howard Watts, Phil Costanzo and Barbara Balbot to attend the Natural Science Solar Center in Milford, PA from February 28 through March 2, 1986, at a cost not to exceed \$50.00, payable from the Frick Park Trust Fund. Use of a City vehicle is also requested.

Also,

No. 259 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Craig Merritt to attend the "Making Sponsorship Work" seminar in Chicago, Illinois from March 10-12, 1986, at a cost not to exceed \$1,000.00, payable from Code Account No. 1838. Prior approval granted.

Also,

No. 260 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting interim approval to purchase birds for display at the Pittsburgh Aviary throughout the year as they may become available at a cost not to exceed \$10,000.00, payable from the Aviary Trust Fund.

Which were read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 261 Resolution authorizing the Mayor and the City of Solicitor to enter into an Agreement or Agreements for the hiring of counsel to assist in the representation of the City of Pittsburgh, Richard S. Caliguiri, Eugene P. DePasquale, Ben Woods, Mark Pollock, Sophie Masloff, Michelle Madoff, Richard Givens, Stephen Grabowski, Jack

Wagner and James O'Malley in the case of Metropolitan Pittsburgh Crusade for Voters, et. al. v. City of Pittsburgh, et. al., filed in the United States District Court for the Western District of Pennsylvania at C.A. No. 86-173, at a cost not to exceed \$75,000.00, payable from Code Account No. 1075, Miscellaneous Services, Department of Law.

Also,

No. 262 Resolution providing for the issuance of a warrant in the amount of \$15,956.21 in favor of Titus Marcus & Shapira for legal services rendered to Ronald C. Schmeiser, Director of Finance, in conjunction with Civil Action No. 85-1525, filed in the United States District Court for the Western District of Pennsylvania, chargeable to and payable from Code Account No. 1075, Miscellaneous Services, Department of Law.

Also,

No. 263 Resolution providing for the issuance of a warrant to Harold Shuler, Executor of the Estate of Barbara Shuler, deceased, in the amount of \$100,000.00 in full settlement of claim for personal injury, arising from Plaintiff/decedent being struck by an automobile on Fifth Avenue in the Oakland section of the City of Pittsburgh on March 21, 1982, causing injuries to her which resulted in wrongful death, payable from Code Account No. 46, Judgments.

Which were severally read and referred to the Committee on Finance.

Mr. O'Malley moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on

the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 264 Resolution amending and supplementing Res. No. 1281 of 1985 effective January 1, 1986, entitled: "Making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1986, by making certain additions and corrections.

Also,

No. 265 Resolution amending and supplementing Res. No. 1282 of 1985, effective January 1, 1986, entitled: "Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions, by making certain additions and corrections.

Also,

No. 266 Resolution carrying over balances or portions thereof remaining in certain code accounts for the year 1985 to the same or to other code accounts for the year 1986.

Which were severally read and referred to the Committee on Finance.

Also,

No. 267 Resolution providing for a Contract or Contracts of use of existing Contracts for the furnishing, delivery and installation of one new folder/insert machine and new folder/insert tables for the Department of Finance, at a cost not to

exceed \$13,500.00, chargeable to and payable from Code Account No. 1066, Equipment, Department of Finance.

Which was read and referred to the Committee on General Services.

Also,

No. 268 Resolution further amending Res. No. 285, approved March 31, 1982 and effective April 5, 1982 and previously amended by Res. No. 160, approved February 28, 1983 and effective March 7, 1983, as further amended by Res. No. 241, approved April 4, 1984 and effective April 10, 1984, as further amended by Res. No. 314, approved April 2, 1985, and effective April 10, 1985 to provide funding to the Clean Community Systems Program in the amount of \$75,000.00.

Also,

No. 269 Resolution amending Res. No. 165, approved February 18, 1985, effective February 28, 1985, which authorized the conveyance of certain property located on Fountain Street near Lewis, O'Hara Township, designated as Block 292-G, Lots 60-64, to Daniel J. McGreevy, for the sum of \$18,000.00. The reason for the amendments is the City of Pittsburgh does not own Lots 1 and 4, Lot 1 having Street frontage. The original price did not reflect a 60 foot water main on the property. This renders the property undevelopable, thereby reducing its value.

Also,

No. 270 Communication from Ronald Schmeiser, Director, Department of Finance, requesting permission for James W. Turner to attend the Urban Affairs Association's Annual Conference in Fort Worth, Texas, from March 6-8, 1986, at a cost not to exceed \$950.00,

payable from Code Account No. 1063.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 271 Resolution amending Section 10 of Res. No. 167, as amended by Res. No. 394 and 692 of 1983, and by Res. No. 940 of 1984, and by Res. No. 634 of 1985 entitled: "Providing for the filing of a CD statement by the City with HUD for a grant in connection with the 1983 CDEGP", so as to adjust several line items.

Also,

No. 272 Resolution providing for an Agreement or Agreements with the Pittsburgh Clean City Committee, Inc., a non-profit corporation, for the purpose of administering the lot maintenance and Greenway implementation activities of the Property Management and Maintenance Program, at a cost not to exceed \$150,000.00, chargeable to and payable from the 1985 CDEB Program, Department of City Planning (CP-85-08) "Property Management and Maintenance Program".

Also,

No. 273 Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the Small and Minority Contractor Assistance Program, at a cost not to exceed \$66,049.09, chargeable to and payable from Contractor Bonding Project Trust Fund.

Also,

No. 274 Communication from

Robert Lurcott, Director, Department of City Planning, requesting permission for Reginald Young to attend the Annual Conference of the National Community Development Association held in Washington, D.C. from March 18-21, 1986, at a cost not to exceed \$950.00, payable from Administration Account CDCP.

Also,

No. 275 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Fred Just to attend a National Workshop on Housing for the Homeless in Philadelphia, PA from February 14-15, 1986, at a cost not to exceed \$250.00, payable from Code Account No. 1103. Prior approval granted.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 276 Resolution providing for the issuance of a warrant in favor of Eastman Kodak Company, 99 Brown Street C11, Rochester, NY 14651 in the amount of \$278,70 in payment for repairs to Microfilm Equipment, chargeable to and payable from the Department of Public Safety, Code Account DPSTPP.

Which was read and referred to the Committee on Finance.

Also,

No. 277 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase of office furniture for the Offices of Research and Evaluation, Department of Public Safety, at a cost not to exceed \$15,000.00, chargeable to and payable from the Department of Public Safety Third Party Payers, Code

Account DPSTPP.

Also,

No. 278 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing, inside delivery and installation of a new filing system for the Narcotics Section of the Bureau of Police, at a cost not to exceed \$25,000.00, chargeable to and payable from the Department of Public Safety Third Party Payers, Code Account DPSTPP.

Also,

No. 279 Communication from John Norton, Director, Department of Public Safety, requesting permission for ten individuals to attend various legislative meetings in Harrisburg, Pennsylvania at various times in 1986, at a cost not to exceed \$10,000.00, payable from the Department of Public Safety Third Party Payer Trust Fund.

Which were severally read and referred to the Committee on Public Safety.

The Chair presented

No. 280 Petition from electors of the City of Pittsburgh, requesting a public hearing on Bill No. 222, legalizing dog racing.

Which was read and referred to the Committee on Finance.

Mr. O'Malley moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

The Chair:

We requested a public hearing ourselves after our discussion on Wednesday. We have to entertain this petition today and then discuss it on Wednesday but I had to set a public hearing for February 26.

Michelle Madoff:

What day of the week is that?

The Chair:

It's a Wednesday at 1:30 p.m. A week from Wednesday.

Also,

No. 281 Communication from Michael Perry, City Clerk, requesting permission for Eileen M. Conroy, Safety Officer, to attend the Annual Meeting of Members of the Western Pennsylvania Safety Council, to be held on Tuesday, February 25, 1986 at the Marriott Hotel in Monroeville, PA, at a cost not to exceed \$30.00, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, Supplies, Equipment, etc.

Which was read and referred to the Committee on Finance.

UNFINISHED BUSINESS

Michelle Madoff:

We're having a hearing on garbage and I think it would be advisable that we run a display ad and that the Golden Triangle be notified to notify all the people Downtown that there is going to be a public hearing so that they don't say they didn't know about it.

The Chair:

Fine. The Clerk will take care of it.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 282

Report of the Committee on Finance for February 12, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 151

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 537, Philadelphia, PA 19105, in the amount of \$1,986.00, in payment for rental of equipment furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Michelle Madoff	Mr. Woods

Mr. O'Malley

(Pres't)

AYES 7

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 161

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Apex Association, R. Tillie, President, in the amount of \$15,084.00 in payment of Extra Work, being in addition to the original contract price of \$34,400.00 on Controller's Contract No. 27112, furnished for the benefit of the City in connection with the Rehabilitation of Fire Stations No. 7, 16, and 36; and providing for the payment thereof."

Which was read.

Michelle Madoff:

On Bill 161, if memory serves me well, that was the bill that Mr. McDermott said he inherited it, it was a mess, and the scope of work had not been clearly defined.

Mr. Pollock:

Mr. President, I have some notes on that.

Michelle Madoff:

I just want to make sure I'm on the right bill. Is that correct? And if anybody cares to add anything to it before I vote, if there is any other information, I would like to have it.

Mr. Wagner:

I'd just like to comment that one of the three fire stations are completed; it's a renovation project where a contractor has bid on three separate buildings. We learned something from this procedure in that in the future a contractor should be bidding on one project and not three separate individual-type projects. There has been a lot of flaws, there has been a lot of delays, two of the three buildings are still not completed but we're hoping to get them completed as soon as possible.

Mr. Pollock:

My notes from the Committee Meeting also revealed that Mr. McDermott said that Bill 161 concerned a design that was done poorly by the architect and that he also stated that he was contemplating a lawsuit at this time against the architect.

Michelle Madoff:

May I have my comments from the other day included so I don't have to repeat them because I plan to vote no on this bill as a protest vote.

**(BEGINNING - MICHELLE MADOFF'S
REMARKS ON BILL NO. 161 -
WEDNESDAY, 2/12/86)**

Michelle Madoff:

Discussion. Paul, we should have a meeting every week. Could you tell me why the scope of work did not encompass simple things like installing wire, 6 light fixtures at No. 16 Fire Station? This work was necessary to replace the existing circuits in the attic which are a fire hazard, like you didn't know that in advance, or three shower lights, that you didn't know you were going to have to replace, or installation

of new circuits and conduits for new floor, removal of floor, like you didn't know you were going to do it. Something is wrong. I don't know if you are the victim or the perpetrator. Knowing you the way I do, I'm assuming you are the victim because I think you are a very honorable man and I've known you a very long time, and as you know, for those that are listening, I was very influential in your coming to this City. You are a great asset.

We are going through the same old story; scope of work not clearly defined, goes to the lowest bidder and then we say, "Oh, guess what, we have all of this extra work". I'm getting tired of it, Paul. And the public is getting tired of it.

Mr. McDermott:

Well, if I may comment on this particular piece of legislation. These three stations, these projects have been total chaos from the day one.

Michelle Madoff:

You inherited this, is that what you are telling me?

Mr. McDermott:

That's immaterial whether I inherited it or not.

Michelle Madoff:

The point is that I need to know what the scope of work was determined; prior to your taking care of it or after you took care of it.

Mr. McDermott:

Prior.

Michelle Madoff:

That's all I wanted to know.

Mr. McDermott:

The architectural services that were provided for this project was one of the poorest jobs I had ever seen.

Michelle Madoff:

What was the architect?

Mr. McDermott:

I will not name him at the table.

Michelle Madoff:

I'm sorry. I want to know who the architect was.

Mr. McDermott:

Well, I don't have that information with me.

Michelle Madoff:

Was it in-house?

Mr. McDermott:

No, it was not.

Michelle Madoff:

Are you suing the architect?

Mr. McDermott:

We will contemplate that at the completion of these jobs.

Michelle Madoff:

Did somebody learn something from that. That I am not entirely a nut; that when I tell you that these overruns

are overruns and that you are not getting the proper scope of work, and then we get poor Paul having to take the heat that we should not --

Mr. McDermott:

That's my job.

Michelle Madoff:

No, no. We all understand that one of the jobs when you are elected to the City Council is scapegoating. But there is no reason why we should have to scapegoat anymore than necessary. So, in this particular instance, we are asking for \$34,000 in extras. I'm sorry. \$15,000 on a \$34,000 job, we are asking for 40 percent more than what the job called for. Who got the contract?

Mr. McDermott:

Well, this particular contract was Apex Associates.

Michelle Madoff:

Who was the principle?

Mr. McDermott:

R. Tillilie is the President.

Michelle Madoff:

Has he done any work with the City?

Mr. McDermott:

Not to my knowledge. It's not Mr. Tillilie's problem. The problem is with extra work. What is designated as extra work at this time was not identified as the original part of the contract. It was not recognized or not added to the original contract documents. Once the job was started, it was deemed that it

was important to have this work done. Had it been in the original contract documents, it would have been in the original bid price. Some of it was unforeseen due to the heavier fire trucks that are now being ordered, which was not known at the time the design was done, we had to tear that floor out and as a result of tearing that old floor out, we had to do some of the wiring and the new lighting as a result of taking out that existing truck bay floor.

Michelle Madoff:

But you're saying that perhaps we ought to be a little more selective about our engineering and our long-term planning. It happens in the City. Nobody knows better than you that you put in new streets and then along comes the gas company and tears up the street and the street is out of use, when we could have been doing it collectively or when we could have been doing it in some kind of sequence that makes sense.

Paul, see what you can do about getting the new scope of work because I'm going to watch everything on scope of work, and I told you there is a contractor in town who says he will give up his business. He makes \$4 million a year. If he could just deal with our overruns.

Mr. McDermott:

How would he deal with our overruns?

Michelle Madoff:

By bringing down the price. He could live nicely on the money.

Mr. McDermott:

How would he do this —

Michelle Madoff:

I'm making a point that we better get our house in order.

One quick question. I presume that you will not rush out to use this architect again?

Mr. McDermott:

No.

Michelle Madoff:

Thank you.

(END OF REMARKS)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Mr. O'Malley	Mr. Woods
	(Pres't)

AYES 6

NOES 1

(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 169

A Resolution entitled, "Resolution

authorizing the issuance of a warrant in favor of Clairton Slag, Inc. in the amount of \$2,172.04 in payment for purchase of slag furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 170

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of The Gage Company in the amount of \$521.50 in payment for the purchase of electrical supplies furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 171

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Sargent Electric Company in the amount of \$1,255.15 in payment for electrical services furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 172

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Charles Stang, c/o Crystal Pony Farm in the amount of \$560.00 in payment for pony rides at Phipps Fall Flower Show furnished for the benefit of the City without previous authority law;

and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 173

A Resolution entitled, "Resolution transferring \$280,837.00 from Code Account URAP500, Urban Redevelopment Authority Project 500, Index Code 254706, to Code Account PZCDI, Pittsburgh Zoo Capital Development and Improvement, Index Code 253708, in the Department of Parks and Recreation, for use in repairing or renovating the shark tank at the Pittsburgh Zoo."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 180

A Resolution entitled, "Resolution providing for the issuance of a \$2,795.32 warrant in favor of Thrifty-Rent-Car in settlement of claim for automobile damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES, 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 181

A Resolution entitled, "Resolution providing for an Agreement with Western Pennsylvania Water Company which grants an easement and right-of-way for water line installation and related purposes for certain property owned by the City of Pittsburgh, 19th Ward, fronting on Pioneer Avenue, Block 34 P, Lot 1, for the sum of \$1.00 upon certain terms and conditions."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 195

A Resolution entitled, "Resolution providing for the issuance of a warrant in

favor of Air Tool Maintenance Co., Inc., 1201 Washington Boulevard, Pittsburgh, PA 15206 in payment for the repair of two (2) Air Impact Chisels furnished for the benefit of the City without previous authority of law; chargeable to and payable from Code Account EMNEAS, Index Code 251751, Department of Public Safety, Bureau of Emergency Medical Services."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 196

A Resolution entitled, "Resolution transferring the sum of \$374,846.00 from Code Account No. 1461-1, Index No. 146118, Premium Pay, to Code Account No. 1470, Index No. 147009, Uniform Allowance, Bureau of Fire, Department of Public Safety."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Pollock presented

Bill No. 283

Report of the Committee on Planning, Housing and Development for February 12, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 188

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A-8 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, to Allegheny General Hospital for construction of a five(5) level, 925 stall parking garage and a two-story conference facility extension into the hospital building located in the "I-M"

Institutional-Medical District bounded by: EAST NORTH AVENUE; HEMLOCK, PORTERFIELD; FOUNTAIN and JAMES STREETS, 22nd and 25th Wards."

Which was read.

Mr. Pollock:

First of all, I would like my comments from the Committee Meeting brought forth.

(BEGINNING - MR. POLLOCK'S REMARKS ON BILL NO. 188 - WEDNESDAY, 2/12/86)

Mr. Pollock:

This was a conditional use application that appeared first before the Planning Commission. At the time, there was numerous neighborhood opposition to the plan with consideration of the negative traffic impact, the negative impact on already scarce parking in the area and other concerns involving aesthetics.

The facility which is being proposed in addition to the parking garage is a more than 300 seat conference center which will generate enormous amount of traffic and parking when the conferences are held.

The members of the Northside community contacted me to express their dissatisfaction with this proposal. They told me it was going to be approved by the Planning Commission which, in fact, it was and they told me they were going to be coming down to Council to express their opposition. In the interest of avoiding that, I tried to bring the parties together and did, in fact, bring the parties together. Mr. David Campbell, President of the Hospital, Seymour Schafer, the Attorney for the Hospital, and members of four different

neighborhood groups. On two separate occasions, we met for extended periods of time in the City Council conference room and I'm very happy to say that this past Saturday we reached an agreement which I will read into the record on Monday which basically provides that because of the numerous concessions made by the hospital, who I must commend at this time for being extremely cooperative and helping the community and not having a negative impact on the community, that because of these concessions and because the neighborhood groups and leaders on the Northside are satisfied with this, that the opposition to this conditional use application by the Northside residents is no longer in existence and they in fact now support this.

So, with that, I am very delighted to move for a positive and affirmative recommendation.

(END OF REMARKS)

(BEGINNING - MEMORANDUM OF UNDERSTANDING - REQUESTED BY MR. POLLOCK)

MEMORANDUM OF UNDERSTANDING

This memorandum is to set forth the understanding between and among Allegheny General Hospital (hereinafter "Hospital") and the Northside neighborhood groups, Central Northside Neighborhood Council, East Allegheny Community Council, Fineview Citizens Council and the Northside Conference, (hereinafter these groups are jointly identified as "the neighbors"), as represented by their respective Presidents, Barbara Burns, of East Allegheny Citizens Council, Randy Zotter of Mexican War Streets, Delores Swartworth of Fineview and Nancy Schaefer, Director of Northside Conference. This agreement was

reached after negotiations in the Pittsburgh City Council conference room on January 28, 1986 and February 8, 1986 at which time Mr. David Campbell, the President, and Seymour Schafer, Esq. represented the Hospital and the above-named individuals represented the neighbors. Also present was Mark H. Pollock, Member of Council of the City of Pittsburgh, who participated in the negotiations.

The parties were brought together as a result of a conditional use application (No. 552) filed by the Hospital in furtherance of its plan to, inter alia, construct a parking garage of 925 parking spaces, to construct an educational conference center of 10,800 gross square feet housing a 300 seat auditorium and smaller meeting rooms and to make the necessary traffic circulation improvements to mitigate the traffic impacts of the proposed garage. Certain aspects of the Hospital's planned construction and development presented grave concerns to residents of the adjacent neighborhoods.

With the desire of reaching an amicable resolution of the problems and to eliminate the necessity of a public hearing before City Council, the parties met on the two above-indicated dates. The specific problems set forth by the neighbors concerned the construction of the new parking garage and its impact on traffic flow around the Hospital, the possible negative impact on the parking availability adjacent the Hospital created by the construction of the 300 seat conference center and, in general, the perceived problem of the Hospital's continued expansion and development. As a result of these meetings, the parties reached the following agreement.

1) The Hospital agrees to widen James Street from the exit of its James Street parking garage to North Avenue,

making every possible attempt to provide greenspace or landscaping between its structure and the widened James Street. In addition, in assigning parking spaces to its employees, the Hospital will examine the location of the residences of its employees in an effort to determine the likely driving route of the employees to the Hospital's garages, with the intent of maximizing the traffic flow about the Hospital.

2) The Hospital agrees to landscape its existing surface parking lot on James Street so as to protect it from the view of the nearby residences.

3) The Hospital agrees to convey the property which it owns at 1408 James Street for the same sum for which it purchased said property to the East Allegheny Community Council, Incorporated, or its designee as soon as is reasonably feasible, to be used as an owner-occupied, single family residence.

4) The Hospital agrees to continue to make a good faith study of the possibility of implementing a valet parking procedure at its proposed parking garage on Hemlock Street and/or its existing surface parking lot on James Street for the purpose of handling the additional parking requirements necessitated by the use of the proposed conference center. Should said study reveal that valet parking is not feasible at either site, the Hospital agrees to provide parking for outside attendees at the Allegheny Center Mall parking garage, or other appropriate off-site parking facility, and to specifically inform all attendees that this parking is available and is included in the cost of the program they are attending at no extra charge to them. In addition, the Hospital agrees to review the results of the aforesaid study with the neighbors.

5) The neighbors agree that they

will not request a public hearing on any matter related to the aforesaid conditional use application, will attempt to dissuade the residents of the Northside from petitioning City Council for a public hearing on any matter related to said conditional use application and will, in fact, support said conditional use application.

6) All parties agree that meetings on a regular basis should be held for the purpose of maintaining greater understanding and harmony between the parties.

For the Hospital:

David Campbell, President

Seymour Schafer, Esq.

For the Neighbors:

Barbara Burns, President
East Allegheny Community Council

Randy Zotter, Vice President
Central Northside Neighborhood
Council

Delores Swartworth, President
Fineview Citizens Council

Nancy Schaefer, Director
Northside Conference

Mark H. Pollock, Chairman
City Council Committee on Planning,
Housing and Development

Date: February 14, 1986

(END OF MEMORANDUM)

Mr. Pollock:

Secondly, I would like to call my colleagues' attention to the Memorandum of Understanding which I have distributed to all of them, which I am very delighted to say has been executed by all the parties concerned, the four neighborhood groups, by their Presidents, Barbara Burns, President of the East Allegheny Community Council; Randy Zotter, Vice President of the Central Northside Neighborhood Council; Delores Swartworth, President of Fiveview Citizens Council; Nancy Schaefer, Director of the Northside Conference; and by David J. Campbell, the President of Allegheny General Hospital and by Seymour Schafer, the attorney for Allegheny General Hospital.

I would like the record to reflect that these parties were brought together because of the conditional use application of Bill No. 188 and because there was a great deal of apprehension and misunderstanding between the parties concerning the conditional use application.

The parties were able to sit down over two separate meetings and work out the differences. I think that the give and take was extremely cordial, the parties were very conciliatory, and I would like at this time to commend them on the way in which they were able to resolve what could have been a thorny situation in an amicable manner. I would especially like to thank David Campbell, the President of Allegheny General, for the way in which he conducted himself and the manner in which he was able to satisfy the neighborhood citizens on their concerns.

Allegheny General is a marvelous institution; the City of Pittsburgh should be proud and happy that it is part of the City of Pittsburgh. It's not leaving the

City like many other hospitals are doing and, not only is it a good hospital but it's now showing that it is a good neighbor.

So, I would like the record to reflect all this and I would not only like to commend these parties but also thank them for all of their time and their desire to have this resolved.

The Chair:

Mark, are you asking that this agreement be part of the legislation?

Mr. Pollock:

Yes.

The Chair:

Would you like to make that in the form of a motion.

Mr. Pollock:

So moved.

Mr. Wagner seconded the motion.

Which motion prevailed.

Michelle Madoff:

That's exactly what I was going to say; you beat me to the punch.

The Chair:

I'm sorry I did that.

Mr. Givens:

I have one good comment to make. I thank Mark for the extra work that he has done on behalf of Council and I think not only he but other Councilmembers, including myself, are definitely involved in that and it was a complicated affair and I think he handled

it very nicely.

Mark, this is the first time, however, that I've seen such a memorandum be attached to any legislative bill and I just only read it when I came out here today. Before, it was always a verbal agreement between parties, etc. Is there anything, and I'm sure you probably looked up the legality, is there anything legally forbidding a memorandum of understanding being attached to the bill and the fact that Council cannot enter into any contracts, I know that, but I would take that one step further. Can we attach anything to a bill legally?

Mr. Pollock:

My search reveals that there's nothing that forbids it. It is not an agreement to which Council is a signatory; it is a memorandum of understanding of a private agreement between private citizens and I'm just putting it in to show how the parties resolved it between themselves. There's nothing in it that binds the City of Pittsburgh or the Council. My signature to it was only as a witness to the other party signatures.

Mr. Givens:

Okay, did the conditional use exception require automatically a public hearing?

Mr. Pollock:

No, it did not.

Mr. Givens:

So it was one that the citizens wanted to make protest, etc.

Has there been any notification given to the residents abutting and

surrounding that area that in fact this has happened? In fact, you only consummated this deal, I think --

Mr. Pollock:

A week ago Saturday.

Mr. Givens:

How was that then distributed to, even though you have the various presidents, the various neighborhood groups, they are an entity out there just like any other. We have a committee system out there in some neighborhoods; we also have neighborhood advisory groups. How did the citizens abutting this particular property - had they been notified of this memorandum of understanding? How was it conveyed to them?

The Chair:

Dick, they were represented very well in that particular part of Northside, especially around Allegheny General Hospital.

Mr. Givens:

I know they all do, but I can say in my own neighborhood that in some cases the community organization does not speak, in all cases, on behalf of all the citizens. So, my question is, do the Northside residents abutting this area that don't have a formal connection with or attend meetings of the various neighborhood organizations, have those people been in any way shortchanged or have they been notified that there will not now be a public hearing?

The Chair:

I think everyone is well aware of it and, believe me, if there had been any descending voice at all we would have

heard about it from last Wednesday to this time.

Mr. Givens:

As I indicated, Mr. President, this is the first time I read it and I'm hoping that the people in the community have read it.

I don't think there's a problem if we pass this bill in final; that's my only concern. The people in the community that have not received this information, I hope that we might not hear from them later and that they would be very disgruntled at the fact that we did not give them due process.

Mr. Pollock:

Two items I'd like to respond to, Mr. Givens. Number one, there was no requirement for a public hearing by Council, so there was no requirement to notify them.

Number two, all the parties abutting the conditional use application zone were informed of the hearing before the Planning Commission. The parties who are signatory to this agreement were the only parties that appeared there and expressed discontent with it.

So, those parties that ever expressed discontent on the record were the ones that were signatory to this understanding.

Mr. Givens:

One final comment, if I may, Mr. President, and that is that I'd like again to thank you, Mark, because it was a very touchy situation. When I read the minutes or hearing of the people, of course, the heliport was also deeply involved in this thing and I can see, by

reading this memorandum, where you separated that particular issue and that was one issue also of further development of the hospital complex. So that separated the two issues apparently and I commend you for it. I think if all the people on the various committees would do this this Council would be much more peaceful because, had that come to a public hearing, it would have been a no-win situation for the Council people who probably would have sent it back to the Planning Commission who should have possibly have done a little bit more spade work before it finally came up to them because it was a very sensitive and a very flammable situation that would have stopped the growth of the hospital and needed parking solution to all their problems down there and some other recommendations of what other hospitals are doing throughout the City and would accommodate some of the congestion that we have around and abutting our local hospital that infringe upon those people who live in that particular area. Thank you, Mark.

Michelle Madoff:

I would like to remind my colleagues that for the eight years I've served here I think six of them I have tried to get a legal counsel for members of Council and I've been voted down. It's been very close; I think once we got as close as four or five and I am delighted that Mark Pollock who is an attorney is with us. Had we been able to get the fifth vote, a lot of the issues would have been resolved amicable and I think Mark should be congratulated for taking it upon himself to share his expertise in the legal field to really do an outstanding job and he should get full credit for it.

Mr. Pollock:

I'll be submitting a bill for my regular hourly rate later on.

Michelle Madoff:

And I think we should pay it.

Mr. Pollock:

I do not want to let something pass. The reason why this was not submitted to my colleagues prior was because I did not receive the signed copy until today. That's the only reason why you didn't get it earlier.

Mr. Wagner:

If I may make a comment in regard to that same bill. Just this morning, myself and my assistant, Caroline Pilewski, were at Allegheny General to review their operations and they have indicated that they are now beginning to have periodic meetings with the neighborhood around them. The purpose of the meeting was to get acquainted and also to take a look at the heliport operations that they have. I know it's not in relation to this bill, Mr. President, but they have even agreed on a new flight path for their heliport which I think is very significant.

The Chair:

Thank you.

Also,

Bill No. 189

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to transfer property in the 12th and 13th Wards of the City of Pittsburgh designated as Block 125-S Part of Lot 115 from the Industrial Land Reserve Fund to the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 190

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Homewood-Brushton Revitalization and Development Corporation for the sale of Parcel 10A in the 13th Ward of the City of Pittsburgh in Redevelopment Area No. 34 (COMMERCIAL/RESIDENTIAL REHABILITATION)."

Which was read.

Also,

Bill No. 191

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Willa Mae Irish and Larry T. Hubbard for the sale of Parcel 63 in the 5th Ward of the City of Pittsburgh, in Redevelopment Area No. 32 (CONSTRUCTION OF SINGLE-FAMILY HOUSE)."

Which was read.

Also,

Bill No. 192

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Clifton and Alberta Miller for the sale of Parcel 18 in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32 (CONSTRUCTION OF SINGLE-FAMILY HOUSE)."

Which was read.

Also,

Bill No. 193

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of the various properties in the City of Pittsburgh (URBAN HOMESTEADING REHABS)."

Which was read.

Also,

Bill No. 194

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Operation Better Block for the sale of Block 125-S Part of Lot 115 in the 12th and 13th Ward of the City of Pittsburgh (SINGLE-FAMILY AND TOWNHOUSE CONSTRUCTION)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods

(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 284

Report of the Committee on General Services for February 12, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 167

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts, for various public buildings maintenance services and providing for the payment thereof."

Which was read.

Also,

Bill No. 168

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of Contracts, for Energy Conservation Services, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 175

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing and delivery of various play equipment for the Department of Parks and Recreation, payable from Code Account 4-10-15-0008-86, Index Code 322875, Play Equipment, Department of Parks and Recreation, and for payment thereof."

Which was read.

Also,

Bill No. 176

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts, for the furnishing and delivery of various pool pumps and equipment for the Department of Parks and Recreation, payable from the 1986 Pool Pump and Equipment Program (4-10-03-1354-86), Index Code 320879, Department of Parks and Recreation, and for payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale
Mr. Givens
Mr. Grabowski
Michelle Madoff

Mr. O'Malley
Mr. Pollock
Mr. Wagner
Mr. Woods

(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff for Mrs. Masloff presented

Bill No. 285

Report of the Committee on Parks and Recreation for February 12, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 174

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contracts for repairs and renovations to the Shark Tank at the Pittsburgh Zoo and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 177

A Resolution entitled, "Resolution providing for a Lease or Leases and/or License or Licenses for the use of certain property for the use of certain property for Community Recreation Center located at 200 Tabor Street at a yearly rental, cost not to exceed \$8,400.00, payable from Code Account 1801 (180109), Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. DePasquale presented

Bill No. 286

Report of the Committee on Engineering and Construction for February 12, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 162

A Resolution entitled, "Resolution authorizing and directing the Mayor and the Director of the Department of Engineering and Construction for and on behalf of the City of Pittsburgh to enter into an Agreement with Calvary Cemetery, Browns Hill Road, relating to

the construction and maintenance of a traffic signal along Browns Hill Road on cemetery property in the 15th Ward, City of Pittsburgh."

Which was read.

Mr. DePasquale:

Mr. Givens reminded me that that should have been in Public Works rather than in Engineering and Construction. So, could we amend that?

Mr. Givens:

Mr. President, and Bill 162, I'd like to amend that and the easiest way to do that is to put in where it says "Resolution" in the bill itself, right after the words "Department of Engineering and Construction" add, "Director of the Department of Public Works". On Section 1 use the same thing after "Department of Engineering and Construction" put in there "Director of the Department of Public Works" and on Section 2 where it says "Engineering and Construction", add "Department of Public Works".

Mr. DePasquale seconded the motion.

Which motion prevailed.

Michelle Madoff:

On the bill itself. I know there's a terrible, terrible shortage in the City. All of us are inundated in our offices for traffic lights. There isn't a Councilmember that isn't called constantly for school crossing lights, traffic lights, and generally we have to turn them down; they are very costly. There is not one yet at Station Square when you go across the bridge. It's like taking your life in your hands.

I would like to know how this bill

for a cemetery got passed before having a light placed near Station Square. Could someone explain that to me? Mr. Woods, would you care to explain it?

The Chair:

I guess this bill came up before the other bill. That's all I can say.

Michelle Madoff:

Well I cannot vote for it until I know why.

Mr. Pollock:

Mr. President, I'm familiar with this. It is cemetery property but the street is on Brownhill Road. It's for construction that's going on right up from the Wendy's and the Buy Wise there. They're going to have to tear up that street and when they do that they're going to have to take out the stop light. So, people coming out of that Buy Wise parking lot will be risking their lives without a stop light there. This bill puts a stop light back after the construction is undertaken.

Michelle Madoff:

So we're not putting another light, we're just putting in the same light that was there?

Mr. Pollock:

Right.

Michelle Madoff:

Wouldn't it be nice if we had an attorney on Council who could advise us?

The Chair:

Michelle, thank you very much.

Mr. O'Malley:

Michelle, the light you're talking about by the Smithfield Street Bridge, I think that's one of the busiest intersections in the county but that's PennDOT; it's not the City of Pittsburgh. That's the responsibility of PennDOT and from my understanding there are plans to install traffic signals when the construction on the Pat Busway is finished.

Michelle Madoff:

In the year 2001?

Mr. Wagner:

In regard to that bill on that traffic light, that's part of a major reconstruction project on Brownhill Road of which the county is paying for the majority of that project.

Michelle Madoff:

I don't have a problem with it but I do think we have some priorities in the City. We do have residents who do go across that Smithfield Street Bridge at Station Square and that has been a disaster forever. We need something done there. I don't care if it's Port Authority or if it's the City; somebody on this Council has got to move to do something about it.

The Chair:

Mr. DePasquale will look into that. It's under his Committee.

Mr. DePasquale:

If I may make one comment in regards to what Mr. O'Malley said, I wasn't aware of the fact that that reconstruction was actually on the road but I thought all street lighting was the

prerogative of the City of Pittsburgh. I'm pretty sure, Jim.

The Chair:

Will you check it out, Jeep?

Mr. DePasquale:

I will check it out.

The Chair:

Thank you very much.

Also,

Bill No. 208

A Resolution entitled, "Resolution further amending Resolution No. 319, effective April 10, 1985, as amended by Resolution No. 1081, effective December 4, 1985, entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants to perform professional services on various City facilities on an as-needed basis, in response to the Capital Budget Program; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$60,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale
Mr. Givens

Mr. O'Malley
Mr. Pollock

Mr. Grabowski
Michelle Madoff

Mr. Wagner
Mr. Woods
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Givens:

Mr. President, I'd like to call forward some gentlemen in the audience. David Kurtanich, Lisle Williams, Larry Young and Earl McCabe; would they please come forward?

The Chair presents

No. 287 WHEREAS, the City of Pittsburgh has always been a national leader in Engineering, whether it be research or in actual practice, with the engineering community supporting the many building projects, subways, busways, bridges and other construction projects underway in our city; and

BECAUSE Engineers have always played an important part in the development of this Country, especially Allegheny County with its difficult terrain creating the necessity for our many tunnels and beautiful bridges; and

ALSO BECAUSE the City of Pittsburgh wishes to recognize the over seventeen-thousand engineers and scientists represented by over forty technical societies such as the National Society of Professional Engineers which sponsors "Engineers' Week"; and

WHEREAS, the City of Pittsburgh recognizes the winner of the Pittsburgh Chapter's PSPE 1985 Professional

Engineers' Distinguished Service Award to be John F. Graham, Jr. P.E., Director of the Allegheny County's Department of Engineering and Construction;

AND, the City of Pittsburgh also recognizes the achievements of other notable engineers such as William Schaefer, P.E., 1985 Dedicated Service Award winner and Joseph P. Fagan, E.I.T. 1985 "Young Engineer"; and

WHILE the theme of National Engineers' Week, "ENGINEERS: Turning Ideas into Reality" is quite an appropriate theme considering the ideas which were required to transform Pittsburgh into the "Number One" City that it has become.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby proclaim the week of February 16th to 22nd, 1986 as "Engineers' Week" throughout the City of Pittsburgh and expresses our appreciation for the achievements of those engineers who have done so much in bettering their communities and in contributing so extensively to the vitality and progress of the City of Pittsburgh.

Mr. Givens moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Givens:

If I could at this time have Lisle Williams come up and following him will be Earl McCabe to say a few words on Engineering Week.

Mr. Williams:

Thank you. National Engineers'

Week is celebrated February 16th through the 22nd, 1986. National Engineers' Week is the one time each year all engineers have the opportunity to come together and celebrate the profession. Through this celebration, we promote public recognition of all engineers and engineering accomplishments. This year's theme, "ENGINEERS: Turning Ideas Into Reality", is most appropriate. The theme is intended to highlight the image of the engineer as an innovator.

Engineers' Week has been celebrated since 1951 nationally of which Pittsburgh is the third largest chapter in the United States and actively participates in those activities each year. With that, this past Saturday we had our second math competition out at CMU whereby 18 schools, either Parochial or City of Pittsburgh schools participated, along with their coaches and the encouragement of their parents and I will say that for the seventh and eighth graders of this area, we are fortunate that we had so many of them participate and take part in this particular program.

As an additional attraction this year we had an item that our President-elect, Earl McCabe will speak briefly on regarding the most engineering accomplishments in the Pittsburgh region.

With that, I'd like to turn the program back to Earl after just thanking City Council. This is my first Chamber meeting that I've had the opportunity to attend and I'm really delighted. Thank you.

Mr. McCabe:

Thank you. I'd like to bring the attention of City Council back to 1985, in May, the Pittsburgh chapter was 50

years old. In honor of that event, we took a survey of all our members and a special committee to pick the outstanding engineering achievements in Pittsburgh and Allegheny County. This community, we selected as the number one member was Mayor Caliguiri of Pittsburgh. We also had Paul McDermott, the Engineering Director of Pittsburgh; John Fred Graham, Jr., the Engineering Director of Allegheny County; Y.T. Shaw, the Dean of Engineering at Pitt; Colonel Rockbloom of the Court of Engineers; Henry Nutbrown with PennDOT; Robert Peace of Allegheny Conference; the History and Landmarks Society; Lisle Williams of our Chapter; Ruth Ann Armour, President of the Women's Engineers. We formed this committee and they picked also.

It's very interesting, the picks of both groups. Number one was the design of Shippensburg which was the first atomic power station generating commercial power in the United States and the first in the world for explosive use of commercial power. Of the special group, their second pick was the subway. Their third pick was the design of the Nautilus which was the first atomic powered submarine. Our records picked second the Civic Arena which was the first retractable roof of it's kind and the third choice was the subway.

So, you can see that Pittsburgh and Allegheny County engineers are really at the front of engineering technology and we have a number of firsts. Both Westinghouse and Duquesne Light are Pittsburgh-based corporations and I think we literally have turned ideas into reality.

Thank you for permitting us to come here today.

Michelle Madoff:

I want to know where your convention is going to be this year?

Mr. McCabe:

The engineering banquet is going to be at the Edgewood Country Club on Saturday.

Michelle Madoff:

Don't you have an Engineers' Association, a National Association, that has its convention sometimes in Pittsburgh but usually in Cleveland or somewhere? It's one of the largest conventions in the country.

Mr. Williams:

We just had it in Fort Worth, Texas.

Michelle Madoff:

How about it in Pittsburgh next year? We need the business.

Mr. Givens:

These four resolutions, if you could take them back to your various engineering firms and contracting firms and again, from the Council and from the President of Council who introduced this bill, if we could in fact send our heartfelt gratitude towards those people who have done this for the City of Pittsburgh and it goes even beyond that. Our space shuttle, we know that Rockwell which is based here in Pittsburgh, and that's a different type of engineering, aero-space engineering, but we are endowed and blessed with both engineers engineering schools, and people who have that adaptability to go out there and change the face of our community and other communities

throughout the country. For that, we will pass out these resolutions. Please take them back and hang them in an appropriate space. Thank you.

The Chair:

Thank you very much, gentlemen.

Mr. Givens presents

No. 288 WHEREAS, Lee Iacocca has served the nation in an outstanding patriotic fashion for the past four years by volunteering his leadership in the national campaign to raise funds to restore the Statue of Liberty; and

WHEREAS, Mr. Iacocca was unreasonably removed from his position on the Federal Advisory Commission on the future of the Statue of Liberty and Ellis Island by Interior Secretary Donald P. Hodel over the potential appearance of a conflict of interest with his Chairmanship of the private foundation through which he has raised over \$233 million dollars for this restoration project; and

WHEREAS, Mr. Iacocca has also distinguished himself as Chairman of the Chrysler Corporation and epitomizes the fulfillment of the American dream for the millions of men and women whose immigrant parents entered this country through Ellis Island and for whom the Statue of Liberty is the symbol of hope, opportunity and renewal; and

WHEREAS, Mr. Iacocca's public leadership, professional experience and patriotic guidance are needed to complete the restoration of the Statue of Liberty and Ellis Island in the unified spirit in which the project began.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh urges Interior Secretary

Donald P. Hodel to reappoint Lee Iacocca to the Federal Advisory Commission to insure that this outstanding American's work will bring to fruition and splendor the nation's dream for the full restoration of the Statue of Liberty and Ellis Island, national symbols of our common immigrant heritage.

Mr. Givens moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Michelle Madoff:

Opposed. Discussion. The reason I would like to make the comment is that if people have been reading what is happening, there's no question that Mr. Iacocca has done an outstanding job but there seems to be a dichotomy between the two factions. One wants to build something like a Disneyland next to it and the other wants to build an ethnic park and there are people who are saying there should be nothing built next to the Statue of Liberty, it should stand alone, and I think that Mr. Iacocca who is certainly respected and has been complimented regarding the due respect due him and I don't think this resolution is in order. It's like taking sides in a private battle.

The Chair:

Thank you.

Mr. Pollock:

Mr. President, I have a motion that the President and the Chairman of the Committee on Public Hearings set a public hearing on the question of the starting time of the 1986 Pittsburgh Marathon because of the enormous amount of public interest in this and the

apparently irreconcilable differences, that there should be a public airing of the different sides so that the Pittsburgh Marathon Committee can be better informed.

The Chair:

Mark, I would like if you would not make that motion just now. I've talked to Larry Kuzmanko --

Mr. Pollock:

I spoke to him today.

The Chair:

I talked to him just before the meeting and he asked me not to do it today because they think they can work it out. Let's give him another week or so. Would that be okay?

Mr. Pollock:

Fine.

Michelle Madoff:

You're taking the words out of my mouth again. I was going to say let's not rush it because I think reasonable people can work out a reasonable solution and I think there's been enough said in the media that I think they will, the association of churches and the people running the marathon are going to sit down and try to work out the differences.

Mr. Wagner:

Mr. President and members of Council, as all of you probably have heard, Friday was a very joyous day in that the Clark Candy Company decided to change their original position and stay in the Pittsburgh area. I'd just like to mention this for the record and I'd like to

compliment some people that had been involved in this negotiation that has gone on since November of last year when Clark made a public announcement on November 13th that they were relocating their Pittsburgh operation to Chicago.

Since that time, there has been a tremendous amount of effort put forth to save that company here in the Pittsburgh area. I mention the Pittsburgh area because they did not decide to relocate in Pittsburgh. They were given approximately ten alternative locations to look at. Out of that ten, six or seven were Pittsburgh locations. They chose a location in O'Hara Township at the RIDC park. What it came down to was, O'Hara Township versus the City of Chicago and, obviously, the task force, the unions, and all that were part of it, favored that location.

We have considered all along the Clark Candy Company to be as important to Pittsburgh as the Pittsburgh Pirates. Both have been in existence for almost as long; over the last 15 years they have been actual neighbors over on the North Side and there has been a tremendous amount that has gone in to save that company.

Primarily, I'd like to recognize the two unions that operate out of Clark Candy; the Bakery Confectionary and Tobacco Workers, which are headed up by Sam Pappa and Larry Turner, and the Operating Engineers, which are headed up by Gerald McCaffery and Mark Duffy. Those two unions took wage concessions; they even took a temporary cutback in personnel to move to the new location and they've bent as much as they could bend to save those jobs here in Pittsburgh. I think there's something very positive to be said for that in that this town is traditionally known as a strong union town that doesn't bend much when it comes to negotiations. I think

these two unions in particular have sent a very positive message out, country-wide, that labor in Pittsburgh is the type of labor today in this modern era that is willing to understand the total economic picture of the company to keep it competitive. They have certainly showed that in the Clark negotiations. Even though there's going to be some cutbacks in jobs, hopefully, those jobs will be regained.

A couple other people I'd like to mention in particular that really took the ball and ran with it and this individual more than anyone in the whole Clark Candy situation, I know you saw the media announcements and you saw various people involved in it, if it wasn't for Brooks Robinson, the head of RIDC, the Clark Candy would not have stayed in Pittsburgh. He is the person that really got down to the particulars of how to keep a company here, made several trips to Chicago, one trip I was with him on, and others, he has met with that company, Clark, and their parent company, continuously for the last two months. He played an extremely important part in saving Clark Candy Company in Pittsburgh. In addition to him, Jay Aldridge of Penn Southwest played a critical part also. Both Brooks and Jay, I was very impressed with. I know Mark sat in on the first meeting when we talked with these people here in Pittsburgh and those two can really speak with authority, can be innovative, and know how to talk the language of the corporate leaders.

The last group I'd like to compliment, and this is very important because many of the people watching this program were part of it, are the union members and the public. If you recall, Clark Candy put on a drive for letters, phone calls, postcards, to be sent to their corporate executive, Mr. Irky Reilo, back in November, December and

January. As a matter of fact, this Council declared the month of January, 1986 as Save Clark Candy Month. But the estimated number of phone calls, letters, and postcards, was 10,000 that came from the people of Pittsburgh. All were sent directly to the Chairman of the Board and President of Leaf, Inc. If there was any one area that I think made them realize that the people of this City do not want to see that company leave, it was that message. They initially started to send back individual letters to respond to the cards and the letters and found out that it was an impossible task. They couldn't even do that.

So, I would just like to thank anyone and everyone and all of you for the resolution that passed here in Council to save Clark Candy and the people who did the little extra that the people of Pittsburgh are so commonly associated with doing in terms of saving this company.

The only sad note, well, the sad note is a result of this, besides the cutback of jobs is that we found out realistically that this City cannot compare when it comes to industrial locations with the suburbs. The RIDC parks that are located in the suburban areas have much more to offer than what any location in this City has. That was the message that we got from the Clark Candy people and that's the reason why they chose O'Hara Township. I think that message should tell us something about what I think we have to do in this City. We have to begin to find large parcels of property where we can put companies of this size and give them an opportunity to relocate out of these older plants that exist. We can't afford to lose the companies like Clark Candy that employ 100 or 200 people. So, I'm hoping that the efforts of this Council in the future will go towards determining locations where we can relocate these plants so

that we don't not only have to lose them to other cities but even to suburbs.

That concludes my part on Clark Candy. I have another issue I'd like to discuss but just finally I'd like to thank everyone that was involved.

Michelle Madoff:

On Clark Candy. I would think it would be in order if you would make a motion, Mr. Wagner, to send a letter of thank you from this Council to Mr. Brooks Robinson and Mr. Jay Aldridge, in particular, and essentially summarizing what was said today. Rick is very good at that and we'll get a letter out to the unions so it's not just some words that were said here with nobody listening.

I would also personally like to thank Mr. Jack Wagner. I did not know that Mr. Pollock sat in at one of the meetings but it really is sad. You know, one of the services that Councilmembers offer when they get elected is scapegoating but we very seldom get recognized for things that we do that are positive. It serves more papers to get the negatives than the positives and I think the outstanding job that Mr. Wagner did, he was not here one week and he was out of town trying to do what he could to save Clark Candy.

I know that very frequently the incumbency, the power to incumbency, whoever is in office gets all the credit and maybe that's the way it should be if they're lucky enough to get elected or if people feel they should be the elected parties. It would be nice if that kind of honor were shared with the people who helped make it possible. It would be nice, and I would urge the Mayor, and I think he would be willing to do it and you might be willing to talk to him, Mr. President, to have that kind of letter duplicated coming from the Mayor to

thank them. We'll send out letter and ask the Mayor to do likewise.

The Chair:

I think that Mike can send a letter to all the parties involved, the whole task force.

Mr. Pollock:

I think we would be remiss if we did not thank and acknowledge one person who had the desire and commitment to see that Clark Candy stay in this area and who was the person that put this task force together and that is, of course, Mayor Caliguiri, who had the insight and the foresight to bring together some of the greatest minds in the whole region in Jay Aldridge and Brooks Robinson and Jack Wagner. It was a very unselfish thing for the Mayor to have Clark Candy stay in the area when not staying in the City of Pittsburgh. He was able to see that it was more important to save the jobs for these people, even if he didn't benefit from it.

I would like to second what Michelle said about Jack because a lot of people go involved in this after Clark Candy announced that it was leaving but this was an issue that Jack was concerned with far before Clark Candy announced that they were leaving. He spent a great deal of time and effort finding locations for Clark to relocate to, personal time before the task force was ever composed and I think all of Council should send a special debt of gratitude to Jack. I think it was his energy and his desire to see that the Clark Candy stay that was the incentive to get this task force saved. So, I think a special debt of gratitude and to Jack.

Mr. DePasquale:

Mr. President, one other comment on the subject. Obviously our greatest concern with Clark Candy leaving was the loss of jobs. If I read correctly, they're moving to O'Hara Township and they're going from 140 jobs to 80 which is still a loss of 60 jobs. I was curious as to why they're eliminating 60 jobs. Are they streamlining or modernizing out there or what?

The Chair:

I think he stated that. It's just in the transition then they'll go back up once they get in operation. I think that was stated. Correct?

Mr. Wagner:

Well, it's partially that. It's the streamlining of the operation to make them more competitive. The present building they're in they are multi-story. There is a lot of materials handling; it's not a continuous flow of the process. By making it more of a continuous flow by bringing in more modern equipment, they actually are going to cut labor costs. But by cutting labor costs they can become more competitive. Their hopes are, by cutting labor costs to put more money into marketing the product to sell more product and produce more product; therefore, need more employees. So, they're hoping to get back to the original number.

Michelle Madoff:

This may be silly but I would love to see that Clark Bar sign remain exactly where it is. Can we do something to keep it there? Because it is a landmark.

Mr. Pollock:

They're working on that.

The Chair:

Thank you.

Mr. Wagner:

Mr. President and members of Council, this is a sensitive area to bring up but I think it's very important that we do it.

Council has one of our colleagues, and I thought Councilman O'Malley was here today — He was earlier —

Michelle Madoff:

He's here; he's just out in the hall.

Mr. Givens:

Mr. President, if I might. If Mr. O'Malley is present and we're going to talk about some very sensitive issues, I think Mr. O'Malley ought to be called forward.

The Chair:

I want to see where Mr. Wagner is going before we do anything.

Mr. Wagner:

First of all, I don't really want to talk about Mr. O'Malley; I want to talk about Council. I think it's important that publicly if the media in particular is making certain accusations about a Councilmember or Council in general, we must take a look at ourselves as to how we respond to situations like this and how it's done in a public fashion and whether or not we need to create any procedures by which we respond to it.

Continually, questions are being asked of me of which I can't answer, both by the media and by individuals. I think it's important that if those questions are

going to happen, if they're going to continue whether they're about me or about any one of us, that we must have a procedure by which we can properly respond and send assurance back to the public that we are investigating our own situations with our own people.

I'm only bringing this issue up for comment because I know two weeks ago the issue initially came up and then we said that we were going to mention it the next week and we did not and since that time I have even had reporters ask me about that.

I think that we are creating an environment where the public will begin to question us as a body. I'm only throwing that out for discussion because we must have some procedure by which we respond to these situations and I think we need to initiate something like that.

The Chair:

Mr. Wagner, I'd be more than happy to discuss this at our meeting that will be on the 3rd. If you want to set up some kind of rules or if Council does, whatever, but I believe the issue that has been in the paper the last few weeks has gone way beyond Council doing anything or any type of investigating. It's now in other people's hands far more powerful than we are. I think that any one of us, no matter what we're accused of or what kind of accusations are made upon us, we have to defend, I don't know how we can do it, as a body, to defend one of our colleagues. But, I believe that if you want to discuss a procedure of what type of actions we make, I think that we can do it on Monday. If we want to change some kind of Council rule or something like that it would be perhaps at, I think our next meeting is March 3rd, the first Monday of the month. We'll make sure — Linda, would you please put that on the agenda and we can discuss it at that

time.

Mr. Wagner:

Fine and I think we should do that. But I think we need to clearly define what a conflict of interest is to better protect each and every one of us. I think we need to define some things that have been mentioned in the media, various things, and if we don't, I think we are subjecting ourselves to public scrutiny as a body and not just individuals.

The Chair:

Jack, I totally agree with you but unfortunately, none of us here write for the papers. I've been interviewed, you've been interviewed, Ms. Madoff has been interviewed, and we stated that that wasn't the case, this was the case. But the media didn't print that. They printed what they wanted to print and we have no control over that. But I think the proper place for us, if we're going to set up procedures, let's discuss it on March 3rd and kick it around.

Michelle Madoff:

I don't have any problem with discussing it at a meeting and going into amendments to rules of Council. But I think it's a public issue and I think what Mr. Wagner is saying is well painted with the same brush. I think that what needs to be done is really very simple. Any one of us at any time can be accused by anybody of anything and we're going to have to defend ourselves as best we can, justly and unjustly. It happens to me very frequently. It used to happen a great deal by my colleagues and I had a lawsuit going; so, you handle it a one on one basis. However, on the premise that we're all painted with the same brush, I think it's incumbent that we do have some ground rules. For example, if

anybody saw the news this week or read the newspapers, the Insituform started their project which I had a major hand in, probably orchestrated the whole thing, arranged for the company that is doing the public relations. You know that I got a letter from the Ethics Commission saying that it was absolutely ethical and you know it, Mr. Woods, because you and I have discussed it. I got a letter from the Law Department. But I felt that it was a conflict of interest because the Water and Sewer Department were leasing back their workers which were workers that I looked at their budget every year which is the Water Department, Public Works Department, and Construction and Engineering. And I felt that despite what was said, it would be perceived as a conflict of interest and that was \$10,000 a year that I gave up. And that's a fact, folks.

There was in the newspapers a zinger that when I did KDKA that I had said the most important thing was my credibility and my honor and that I would never do anything that was a conflict of interest by doing the show. And I think that when I was on that show with KDKA, I invited every one of my colleagues, and everybody will tell you that I had you on, anybody could say what they wanted to, and I said nothing on the air that I wouldn't say here in Council. I did not abuse the situation and I also got a letter from the Ethics Commission to see if, indeed, there was a conflict because we had the Pirates vote and KDKA had that contract. As a matter of fact, it was Councilman O'Malley who questions whether I had a conflict of interest and it cost the City I think about \$1,000, I don't know how much it was, to get a ruling because I had to hire an attorney.

So, what I'm saying basically, is let's not say we're going to discuss it in the back room where people are

listening. Let's say that we're going to get a ruling from the Ethics Commission on items that we may want to do. I personally have a consulting firm. My consulting firm says, "Michelle Madoff - Consultant". It doesn't say Councilwoman Madoff - Consultant. But I am still a Councilwoman, the same way that Mr. O'Malley says he's not a lawyer. I think maybe some of the things he did were not the smartest but they may not have been --

The Chair:

Let's leave names out of this.

Michelle Madoff:

Okay. But the point I'm making, and I hope the message is getting across, that we can't put our heads in the sand and pretend that the public isn't looking at us. We cannot be ostriches. We cannot say, "Well, we can't help what the paper is writing" because we can put out a statement.

We should sit down with Mr. O'Malley and we should find out what happened. On the issues I know, I can speak. Some of the things I read in the paper I had no knowledge of. None. And some of the people doing the accusing have got a few skeletons in their own closets. I think that this Council ought to come together and review it. We should have a little inquiry and find out where the status is, and come out with a statement because until we start to do that and stop being the ostrich, we will be painted with the same brush and we will be considered the buffoons of the City.

The Chair:

My statement is that we discuss this, not in the back room, but in the Conference Room, at our monthly

Monday meeting and perhaps, as you say, we ask the Ethics Commission to define what is a conflict of interest, what isn't a conflict of interest, and then go from there, for all of our sakes.

Michelle Madoff:

That is the back room.

Mr. Givens:

I'd just like to make one comment. We have a conference room, I think it says Conference Room on the door. It doesn't say back room. That's the notion I don't particularly like.

Michelle Madoff:

Excuse me. If it's not open to the public it's the back room.

Mr. DePasquale:

Very simply, Mr. President, I believe the Home Rule Charter outlines the conflict of interest or violations on the part of each Councilperson and, obviously, if there is a violation then it's the Ethics Commission's job or priority to do the investigating.

I feel, as I did in the past, that Council has a job to do in regards to legislation and other things other than investigating, not only our Council colleagues but anybody. All we can do is tend to muddying the water if we decide to have our own investigation, our own conversation on the matter. It's bad enough the way it is now, people out there, as soon as they read something in the paper they assume somebody is guilty. I don't care who it is; you, me, or anyone else. If we go any further, we're only making it worse, not any better.

I just say, let it go as it is. Let the Ethics Commission decide whether a

violation of the Home Rule Charter has been made or not.

Mr. Wagner:

Can I make one last comment? I just want all my colleagues to realize that my desire on this issue is simply to create a procedure of clarification as to where we stand and not in any way to get involved in anyone's personal affairs. That's my whole intent. It could be any one of us involved in something that the public perceives or the media perceives to be a conflict of interest. And if we don't begin to respond to it, the public and the media is going to think that the entire Council is a conflict of interest.

The Chair:

I understand where you're coming from and that's why I suggest that we can discuss it more openly and I think when we tend to meet in the Conference Room we get things off our chests much better, as you're all aware from our first meeting, and I think it's healthier.

Mr. Pollock:

I'd like to say that I agree with you that we should discuss it in the Conference Room. But I think that after having done so, that you should either meet with the media to give them a statement or that we issue a statement as a result of our deliberations on the subject, but that we not remain silent on the issue.

Michelle Madoff:

You'll be happy to know that that's exactly what I was going to say. I just want to add one thing that when you call it the Conference Room, Mr. Givens, if the media isn't there, which is the guardian of the public's right to know, it's the back room.

The Chair:

I disagree with you. It's a Conference Room.

Michelle Madoff:

It's your right to disagree.

The Chair:

And the media is not permitted in there when we're having our own discussions.

Mr. Givens:

Mr. President, if I might. On the resolution I had adopted into the Council on Lee Iacocca, you know, it was very sad that that issue had to be confronted because they had picked the son of an immigrant to go up there and to head a fund-raising campaign or tear down the old Statue of Liberty. I took my hat off to Lee Iacocca when he went out there to raise some money, not knowing how much.

The resolution indicated the exact money that's in the Treasury right now, some \$233 million. When I called up to Detroit to get the exact figures, it was more like \$250 million already in the hopper and Lee himself indicated that it would be somewhere in the neighborhood of \$300 million. As a Chairman of that particular committee, I take my hat off to him.

And the fact that the City of Pittsburgh has a part in that July 4th unveiling of the new Statue of Liberty, and the fact that all of us, most of us in this room anyway, have come in, our parents, our grandparents, etc., have come in through that immigration process — In fact, even one in this Council who did not vote for it, in fact, came into this country by the

immigration way. It was very sad to me to hear a vote cast against this particular resolution that was put out here today by a son, an Italian son of, I think, a person that emulates the whole attitude of the American people and to people that are in foreign countries, especially many of our people from Europe, who come into this country with the beauty of wanting the dream of getting ahead. Our people have done that. Lee Iacocca has done that.

This 4th of July is supposed to be a tribute to our parents and our grandparents and others who have come into this country, to take their hat off and say to the rest of the world -- The people that are coming in from Haiti, the people who have come in from Cambodia and Thailand, and now they're coming up from Mexico because of the economic problems they're having down there. They're coming in from El Salvador; they have come in from Columbia and other countries when they have been under a strife down there, where they have been persecuted. We are, in fact, the beacon. That light on top of the Statue of Liberty stands for something; it means, come here people, and we will give you that freedom that you so desire. Any of us that have ever had that freedom taken away from us even for a minute, a second, an hour, a day, a year, two, five, ten years, you appreciate, truly appreciate, what that beacon stands for and what was driving Lee Iacocca, with all the other responsibilities he has of running a major corporation, to go out there and raise some \$300 million. I tip my hat to him. And not only do I tip my hat to him, I feel so strongly about this particular issue that I'm going to start a petition here in the City of Pittsburgh, Allegheny County, Southwestern Regional Planning, and I'm hoping that everyone else is going to jump on the bandwagon and let the Department of Interior know where

this City stands when it comes down to Lee Iacocca and what he is trying to do for our forefathers.

Thank you, Mr. President.

Mr. Pollock:

I'm going out and buy a Chevrolet this afternoon.

Michelle Madoff moved to excuse Mrs. Masloff for absence from the meeting.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Wagner moved to approve the Minutes of Monday, January 27, 1986 and Monday, February 3, 1986.

Mr. DePasquale seconded the motion.

Which motion prevailed.

And on the motion of **Mr. DePasquale**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Monday, February 24, 1986

No. 8

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, February 24, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

We're going to change the order of business for today. We have two resolutions and we have a lot of people in here for these resolutions so I'd like to do

them first, if we may. Mr. Wagner?

Mr. Wagner:

Thank you, Mr. President and members of Council. I'd like to ask the Gualtieri family, of which there are five members here, to please step forward for this resolution.

With us are Ginny Fiorilli, the late Fred Gualtieri's sister, John and Nich Gualtieri, Fred's brothers, and two sons, Michael and Ricky.

Mr. Wagner presents

No. 336 WHEREAS, the late Fred G. Gualtieri was one of the Pittsburgh area's strongest and most accomplished labor officials, a devout man of faith, a loving husband and father, and a dedicated community leader; and

WHEREAS, Fred G. Gualtieri, who raised his family in the Beechview neighborhood of Pittsburgh, was Business Manager of Boilermakers Local Union No. 154 for 23 years until his untimely death in 1983, and provided wise and creative leadership for the entire 36 years that he was active in organized labor; and

WHEREAS, though his union work was demanding and time-consuming, he still found time to assist numerous religious, social, charitable, and governmental organizations including the Correctional Industries Advisory Board of Pennsylvania, Assistance to Families of Crime, St. Anthony School for the

Handicapped, Variety Club, Three Rivers Regatta, Port Authority Transit, Pittsburgh Housing Authority, Airport Advisory, and numerous Veterans groups, as well as raising funds for Children's Hospital, the Cerebral Palsy Foundation, Multiple Sclerosis, and the United Way; and,

WHEREAS, Mr. Gualtieri's legacy to our community includes his long-hoped-for dream of effective cooperation between the labor, business, and government sectors.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recalls and honors the remarkable career and exemplary life of Fred G. Gualtieri on the occasion of the opening of the Fred G. Gualtieri Manor in Beechview Senior Citizens by the Housing Authority of the City of Pittsburgh, which will stand as a lasting memorial and tribute to the Gualtieri family.

Mr. Wagner moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Wagner:

Members of Council, prior to introducing the Gualtieri family, I'd just like to say, as all of you know, tomorrow is the opening of the Gualtieri Manor in Beechview, the first senior citizen housing building in Pittsburgh. Fred was a member of the Housing Authority; he was very instrumental in getting that building to move forward, and tomorrow we will be dedicating that. For that reason, the resolution today.

I knew Fred for a number of years; I've known the Gualtieri family for a

number of years, and they've been a tremendous attribute, not only to our City but to our county and to this region.

I'd like to ask John, Fred's brother, to say a few words and introduce the family.

John Gualtieri:

I would like to personally thank the Housing Authority, members of Council, the Mayor. It's a privilege and honor to accept this for my brother. If he was here, he would be real overwhelmed.

On behalf of Fred's wife, Ruth, who could not be here today, his oldest son, Frederick, Jr., to the far right, his son, Michael, and his daughter, Mary Beth, my sister, Virginia, my brother, Nick, who came all the way from Boston for the dedication, it's both a privilege and an honor to accept this on behalf of my brother.

I want to thank you very much. It means very much to us.

The Chair:

Thank you. We'll see you tomorrow.

Michelle Madoff:

Ladies and gentlemen, members of Council, Mr. President and esteemed guests, I'd like to point out that the folder on my desk is the work, just the paperwork, that has gone into bringing about these statistics which we have before you today.

There were three resolutions introduced, actually, a fourth which is not significant in that it exempted those garages where cars were being parked by the owner so the rules did not apply but there were actually three bills. The first

one which resulted in a hearing in June of 1983, a second one where Mr. Grabowski gutted the bill somewhere about June of 1984, and a final bill that took place October 8, 1984 and the laws governing the lighting of garages really went into effect in 1985.

We at the point where really these are giant step forward awards; they are not necessarily perfection awards. They're like the carrot and the stick. But I think you have to reward people for spending millions of dollars and thank them for the security that it has offered to all of us.

One of the things I'd like to point out in particular to the President of our Council because he's very effective in getting things done is that if you'll notice on our chart, these were figures given to us by the Police Department. They're having problems and have had problems in computing their own figures. For example, a police officer will turn in theft and another will say theft from auto. So, if you look at the bottom numbers, what you're getting is really a combination and I'll try to go through it.

You do know, of course, that rapes are generally not reported because of the stigma to women and therefore our rapes started off in 1983 at 8, 1984 - nothing, and we have 3 in 1985.

Robbery, that means somebody who was robbed, 29, 25, 16.

Simple assault, meaning where somebody didn't have to go to the hospital, we had nothing in 1983, 8 in 1984 and, again, we went down to 6 in 1985. Supposing we had no lighting there, supposing it had been a dark garage, that could have been 60 instead of 6.

In aggravated assault, we went 2, 2

and 0.

In burglaries, there's never been a tremendous problem from structure; that means, perhaps, the cashier's desk or going into a cash box.

But the big drop, and that is the one the Mayor has been very concerned about, and that's theft from autos. You've got to combine the two figures, the 6 and the 402, the 95, the 196 and the 60 and 79.

But what we're really looking at today is the bottom line. The bottom line, starting at '83, '84 and '85, we went 447 times, 326 to 166.

Now my resolution.

Michelle Madoff presents

No. 335 WHEREAS, the majority of downtown parking garages in the City of Pittsburgh are now well lit and have security guards and escort services; and

WHEREAS, the crime statistics for these garages show a significant decrease over the past few years as a result of the institution of the City's tougher garage security legislation; and

WHEREAS, a considerable number of dollars have been allocated for garage improvements through the Pittsburgh Parking Authority and the owners, managers and lessors, of parking garages in Downtown Pittsburgh; and

WHEREAS, these improvements have greatly enhanced both the physical and mental security of individuals who express delight in seeing these improvements; and

WHEREAS, the decrease in theft from automobiles, rapes, robberies and assaults has resulted in a general

reduction of fear for the patrons using parking garages;

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of the Council of the City of Pittsburgh recognize the below-listed representatives from the downtown garages and the Mayor's Task Force on Women for their efforts in bringing about this compliance for improved lighting, alarm systems, security guards and surveillance, and present them with a GIANT STEP FORWARD award:

Mike Rodgers of Oliver Realty for PPG Tower
Thomas A. Streigel for USW Building
John Shakespeare and Tom McKeown of APCOA, Inc. for Gateway Center #4
Jack Brennan of Stanwix Parking on Stanwix Street
Norman Rockwell of Realty Operating Co. for One Mellon Bank Center
John Cominos of Liberty Parking for the Convention Center
Amos Orner, Jr. of Oxford Development for One Oxford Center
John Angel for U.S. Steel Building
Herbert Connor, Esq. of Chartiers Valley Industrial Community for the Manor Garage
Arthur P. Ziegler, Jr. for the Station Square Garage
Sister M. Rosita Wellinger for Saint Frances General Hospital
Michael J. Faix for Shadyside Hospital
William B. Turbert for West Penn Hospital
Robert Wunderley and Ernest Darby of Meyers Parking for Chatham Center
Meryl Stabile for Manor Garage, Westinghouse Building, U.S. Steel

Building,
One Mellon Bank Center, and Oxford Center
George Charlton for the Pittsburgh Parking Authority
The Mayor's Task Force on Women - Safety Committee
Carla Gedman
Brian Hill, Bureau of Building Inspection
Carmen Guenther
Mark White and J. Gary Kosinski for Allegheny Center

Michelle Madoff moved to adopt the resolution.

Mr. Pollock seconded the motion.

Which motion prevailed.

Michelle Madoff:

Meryl Stabile, would you say a few hundred words? I'm going to call on you to tell me the secret you told me about the saving on lighting.

Mr. Stabile:

Your parking pass is in the mail.

I don't really have much to say except that I would like to express to you, Michelle, that I do, and I think I speak on behalf of a lot of people here, really appreciate the positive attention that you're giving to the industry at this point. I thank you very much for it.

Michelle Madoff:

Would you tell them about the lighting; make me very happy. My birthday is in August but give me an early present. The money it saves on lighting by changing the lights.

Mr. Stabile:

Well, as I have said before, there are many situations where changing from fluorescent to high pressure sodium vapor lighting which was brighter lighting also cost less. There were many instances where we did save on utilities and there's no question about it.

Michelle Madoff:

You're a good man. Thank you.

I also want to point out that Gateway - is there someone here from Gateway? Would you please step forward? I spoke to somebody at Gateway who told me that in the process of ripping up the cement to get the lights, the wiring, they put in a mixture with the cement which would make the garages better so that they would not deteriorate from salt. Is that correct? So, we've got some positives, right.

I also want to thank everybody who fought me tooth and nail for turning around and being super, super people. The public thanks you which is much more important than my thanks for you. I really think you ought to give yourselves a round of applause.

Mr. Pollock:

I think first of all we owe all these ladies and gentlemen an apology for making them wait so long when we had the Committee Meeting continued today. It's nice of them to stick around to go forth with this.

I would also like to personally thank Michelle for the courage and initiative that she displayed in this legislation. I don't know how many people know it but this lighting bill was the first bill in the country. It's not perfect legislation; Meryl Stabile has

informed me of some of the flaws in it and he's probably right, and probably Michelle would admit that he's right. But whenever you go first and you don't have other bills and legislation from around the country on which to base your own legislation, it takes a lot of guts and it takes a lot of initiative and you're going to have mistakes. But, right now, Michelle has a lot to be proud of. And I'd like to also thank and commend the Mayor's Task Force on Women with Jean Sickle as it's Executive Director who did so much of the work.

I think that Michelle should also point out, because she didn't, maybe in her humility of which we all know, that our legislation is being sent all over the country to other cities who are putting in similar garage lighting ordinances. And all the work that Jean Sickle and the Mayor's Task Force on Women did, and Michelle did, and Carmen Guenther did, is now being of benefit to citizens all over this country because the homework and the groundwork that they laid and did is being used all over the country for legislation. So, not only do the people of Pittsburgh owe Michelle and Jean Sickle and all of the garage operators who put this in a debt of gratitude, but the people of America owe them a debt of gratitude. So, I'd like to point that out and thank you again.

Michelle Madoff:

I just want to indulge just for one moment. Mr. Brian Hill, would you please come forward? He's very shy and he really had brought the amount of work, the success, to where it is today. Brian Hill is the Inspector, take a good look, folks, you'll be seeing lots of him, because nothing's perfect yet. As I said, it's the carrot and the stick and if you want to light it to ten foot candles, I won't cry.

Mr. Hill:

The only thing I want to tell you is that Michelle said we'll be out there keeping an eye on you and that's what we'll be doing. Thank you, Michelle.

Mr. Wagner:

Mr. President, who is managing these garages today?

The Chair:

We'd like to thank you all very much for coming. Thank you.

Mr. DePasquale presented

No. 289 Resolution amending Res. No. 284, eff. March 29, 1985, entitled: "Providing for a Contract or Contracts for the Reconstruction of Penn Avenue from Beatty Square to Penn Circle East/South, including Street Lighting, Traffic Signalization, Intersection Improvements, work on private property, and other work incidental thereof," by providing for the payment thereof," by increasing the total project from \$325,000.00 to \$1,611,624.47.

Which was read and referred to the Committee on Engineering and Construction.

Mr. DePasquale moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 290 Resolution providing for

the issuance of a warrant in favor of R. & W. Electric Company (Richard G. Welch, owner) in the amount of \$960.00 in payment of Extra Work, being in addition to the original contract price of \$29,000.00 on Controller's Contract No. 26854, furnished for the benefit of the City in connection with the Renovation of Fire Station No. 27 - Mt. Washington, payable from Code Account EC 85-47. (PRIOR APPROVAL GRANTED)

Also,

No. 291 Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company (Peter Nicholson, President) in the amount of \$35,368.50 for the fourth partial payment of an Emergency Contract for the Reconstruction of the Goettman Street Wall, chargeable to and payable from Code Account EC 85-19. (PRIOR APPROVAL GRANTED)

Also,

No. 292 Resolution providing for the issuance of a warrant in favor of Able Hess (Raymond Hess, President) in the amount of \$52,329.00 in payment for Extra Work, being in addition to the original contract price of \$247,432.00 on Controller's Contract No. 27217, furnished for the benefit of the City in connection with the Rehabilitation of Fire Stations No. 16, 36 and 7, payable from Code Account EC 85-47. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Also,

No. 293 Resolution amending Res. No. 17, eff. January 19, 1979, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants, for Professional Engineering

Services in connection with the inspection of Baum Boulevard Bridge, PW 78-09 and PW 76-39; and providing for the payment of costs thereof," by amending the title to include the design of the Baum Boulevard Bridge, providing for a Supplemental Agreement or Agreements, and by increasing the total project allocation from \$200,000.00 to \$220,000.00, chargeable to and payable from PW 78-09 - \$140,000.00 and PW 76-39 - \$80,000.00.

Also,

No. 294 Resolution providing for a Contract or Contracts, or use of existing Contracts for the Renovation of Various Playgrounds, including but not limited to East Carnegie, Philips Park Courts, and Garland Courts, at a cost not to exceed \$170,000.00, chargeable to and payable from Code Account EC 86-46.

Also,

No. 295 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Renovation of Turfed Areas and Ballfields, including but not limited to Arlington and Whitman, at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account EC 86-43.

Also,

No. 296 Resolution providing for a Contract or Contracts, or use of existing Contracts for Renovation of the Schenley Tennis Courts, at a cost not to exceed \$70,000.00, chargeable to and payable from Code Account EC 86-45.

Also,

No. 297 Resolution providing for a Contract or Contracts, or use of existing Contracts for Construction of Phase 4.0: Tropical Forest Facility of the

Pittsburgh Zoo, at a cost not to exceed \$400,000.00, chargeable to and payable from Code Account EC 86-36.

Also,

No. 298 Resolution providing for a Contract or Contracts, or use of existing Contracts for Replacement of Windows at Fire Stations No. 10, 12, 13 and 14 and Police Station No. 4, at a cost not to exceed \$60,000.00, chargeable to and payable from Code Account EC 86-67.

Also,

No. 299 Resolution providing for a Contract or Contracts, or use of existing Contracts for the Renovation of Senior Citizens Centers, including but not limited to Cowley and Perry South, at a cost not to exceed \$248,500.00, chargeable to and payable from Code Account EC 86-66.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 300 Resolution vacating the Southern 30' feet of Mary Street from 23rd Street to 26th Street in the 16th Ward, City of Pittsburgh.

Also,

No. 301 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Constance Pukanic, Henry Hurt and Thomas Purnell to attend the ITVA Video Lighting Seminar at WQED-TV from March 14-15, 1986, at a cost not to exceed \$465.00, payable from the Community Communications Trust Fund.

Which were read and referred to the Committee on Public Works.

Mrs. Masloff presented

No. 302 Resolution amending Res. No. 60, approved February 6, 1986, entitled: "Providing for an Agreement or Agreements with The Western Pennsylvania Conservancy for the furnishing of professional services for the benefit of the City residents of the City of Pittsburgh during 1986, and providing for the payment thereof," by increasing the authorized from \$5,000.00 to \$8,000.00, chargeable to and payable from Code Account 1838, Miscellaneous Services, Department of Parks and Recreation.

—(SPONSORED BY MR. GRABOWSKI)

Which was read and referred to the Committee on Parks and Recreation.

Michelle Madoff presented

No. 303 Communication from Daryl Smith, Director, Department of Water, requesting permission for James McNamara, Thomas Bruecken, Anthony Faccenda, Joseph Garforth, Ronald Florian, Raymond Wisloski, Nunzio Liberto, Stanley States and John Kuchta to attend an American Water Works Association meeting in Butler, Pennsylvania on March 6, 1986, at a cost not to exceed \$117.00, payable from Code Account 1922.

Which was read and referred to the Committee on Water.

Mr. O'Malley presented

No. 304 Resolution transferring \$15,000.00 from Code Account 41, Refunds-Real Estate Tax, Department of Finance, to the Employer's Travel Expense Advance Trust Fund, Department of Finance.

Which was read and referred to the Committee on Finance.

Mr. O'Malley moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 305 Resolution amending Res. No. 979, Item E, approved October 16, 1985, which authorized the sale of property in the 19th Ward, being vacant land located at 1321-23-25-27 Sycamore Street, designated as Block 6-R, Lots 312-313-314-315 to Robert M. Seybold for the sum of \$3,000.00. The reason for the above Amendment is that the Title search revealed that there is an error in the Treasurer's Deed and the Treasurer's proceedings relative to 1327 Sycamore Street - Parcel 6-R-315.

Also,

No. 306 Resolution Repealing Res. No. 446, Item F, approved May 30, 1984, which authorized the sale of property in the 13th Ward, being a 2 Story, Brick house, located at 7044-1/2 Idlewild Street, designated as Block 174-E, Lot 158 to James T. D'Angelo for the sum of \$2,500.00. The reason for the above Amendment is that the purchaser thought he was purchasing the building at 7044 Idlewild Street, Block 174-E, Lot 158 A, which is the adjoining building, and fronts on Idlewild Street, while 7044-1/2 Idlewild, the building that the City of Pittsburgh owns, should be listed as Rear Idlewild, or Fielding Way.

Also,

No. 307 Resolution amending Res. No. 36, Item E, approved February 4,

1986, which authorized the sale of property in the 10th Ward, being a 2 Story, Brick house, located at 5305 Rosetta Street, designated as Block 50-G, Lot 36, to L. Jalik Petty & Helen E. Lyles Petty, his wife, for the sum of \$2,500.00. The reason for the above Amendment is to correct the Treasurer Sale Act from Act No. 514 of 1947 to Act #171 of 1984. Both the Proposal and the Resolution should have the corrected Act number.

Also,

No. 308 Resolution amending Res. No. 36, Item H, approved February 4, 1986, which authorized the sale of property in the 17th Ward, being a vacant lot located at 17 Hartford Street, to Michael Lanese, for the sum of \$500.00. The reason for the above Amendment is to correct the Lot number from 127 to 124. Resolution should read: Block 3-R, Lot 124. Also, both the Proposal and the Resolution should read: T.D.B.V. 11, Page 178.

Also,

No. 309 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 514 of 1947, as amended.

Also,

No. 310 Communication from Richard S. Caliguiri, Mayor, requesting permission for James E. Simms to make a trip to Washington, D.C. on March 1, 1986 in order to attend an Executive Committee Board Meeting of the National Forum of Black Public Administrators', at a cost not to exceed \$500.00, payable from Code Account No. 1017.

Also,

No. 311 Communication from Richard S. Caliguiri, Mayor, requesting permission for James Simms to attend the National Forum for Black Public Administrators' Forum 1986 Conference in Chicago, Illinois from April 27-30, 1986, at a cost not to exceed \$1,000.00, payable from Code Account 1017.

Also,

No. 312 Communication from John Gabriel, Director, Commission on Human Relations, requesting permission for John Gabriel and Constance Wellons to attend the EEOC Conference in Baltimore, Maryland from March 17-19, 1986, at a cost not to exceed \$900.00, payable from the EEOC Trust Fund.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 313 Resolution amending Res. No. 82, effective August 23, 1985, entitled: "Providing for an Agreement or Agreements with Bidwell, Inc. located at R. J. Casey Industrial Park, Columbus and Preble Avenues, for the City's share in the construction of a facility to be used for the organization's offices and their vocational training program, including exterior site improvement work such as landscape, parking lots and public open space improvements, a cost not to exceed \$80,000.00, chargeable to and payable from the 1985 Community Development Block Grant Program, "Unspecified Local Option," (CC-85-01)," by specifying the uses to which the City's funds will be applied.

Also,

No. 314 Resolution amending Res. No. 793, effective August 23, 1985,

entitled: "Providing for an Agreement or Agreements with the Mt. Washington Children's Center for the purchase of a building to establish a day-care center for low income and moderate income families, for the purchase of land, payment of architectural services, construction of the day-care center and parking lot, a cost not to exceed \$50,000.00, chargeable to and payable from the 1985 Community Development Block Grant Program, "Unspecified Local Option," (CC-85-01)," by specifying the uses to which the City's funds will be applied.

Also,

No. 315 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 8, by changing from "S" Special and "R-1" One-Family Residence Districts to "M2" Limited Industrial District certain property of Anthony J. Castriota, bounded by: STETSON STREET; the easterly boundary line of the "M2" District located between WEST LIBERTY AVENUE and PIONEER AVENUE; the center line of CAPE MAY AVENUE projected in an easterly direction toward PIONEER AVENUE; and the center line of an UNNAMED WAY (situated between Woodward and Plainview Avenues) projected in a northerly direction, 19th Ward.

Also,

No. 316 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Maps No'd. 16 & 17 by changing: (A) From "M3" Light Industrial District to "S" Special District certain property bounded by: FINANCE STREET; NORTH BRADDOCK AVENUE, the PATWAY and NORTH HOMEWOOD AVENUE; and, (B) From "R3" and "R4"

Multiple-Family Residence Districts; "C3" Commercial District; "M2" Limited Industrial District and "M3" Light Industrial District to "R2-T" Townhouse Residence District certain property generally bounded by: NORTH LANG AVENUE; HAMILTON AVENUE; NORTH BRADDOCK AVENUE and FINANCE STREET, 13th Ward.

Also,

No. 317 Resolution amending Section 11 of Res. No. 1228, eff. December 31, 1979, as previously amended entitled: "Providing for the filing of an application by the City of Pittsburgh with HUD for a grant in connection with the 1980 Community Development Block Grant Program", by decreasing the Bloomfield Bridge line item and increasing the East Liberty Mall Project line item and several others.

Also,

No. 318 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and T.A. Anderson for the sale of Block 23-L Lot 151 (1301 Boyle Street) in the 22nd Ward of the City of Pittsburgh for the sum of \$6,500.00, under the terms and condition of the Residential Land Reserve Fund Cooperation Agreement. The Redeveloper will rehabilitate the existing residential structure on this lot.

Also,

No. 319 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Calvin D. and Virginia A. Smiley for the sale of Block 26-J Lots 228 and 230 (3396-3394 Ridgeway Street) in the 5th Ward of the City of Pittsburgh for the

sum of \$1,000.00, under the terms and condition of the Residential Land Reserve Fund Cooperation Agreement. The Redevelopers plan to construct a single family house on this site.

Also,

No. 320 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Calvin L. and Gloria J. Sheffield for the sale of Parcel 226-B (1012 W. North & 1109 Allegheny Avenues) in the 21st Ward of the City of Pittsburgh for the sum of \$2,500.00, in Redevelopment Area No. 27. The Redevelopers plan to construct a single family house on a portion of this parcel and to landscape the remainder of the parcel in a park-like manner.

Also,

No. 321 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Frey Development for the sale of various properties in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27. The Redeveloper plans to rehabilitate the existing residential structures on Parcels 47D and 47E and will use Parcels 47B, 47C and 47F as parking and yard areas for the structures. Frey Development is a Pennsylvania partnership. The partners are C. Robert Frey and Ronald A. Frey.

Also,

No. 322 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Darrell L. and Terri Lynn Brown for the sale of Block 15R Lot 73 (918 Taft Street) in the 18th Ward of the City of

Pittsburgh for the sum of \$375.00, under the terms and conditions of the Residential Land Reserve Fund. The Redeveloper resides in the adjacent structure and will use this lot as a sideyard.

Also,

No. 323 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Robert H. Lurcott to attend the APA National Planning Conference in Los Angeles, California from April 5-9, 1986, at a cost not to exceed \$1,300.00, payable from Code Account No. 1103.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 324 An Ordinance amending the Pittsburgh Code, Title Seven - Business Licensing, Article IX - Amusement Businesses, Chapter 777 - Mechanical Amusement Devices, by requiring that a business establishment with mechanical/electronic amusement devices on the premises must obtain a license for such mechanical/electronic amusement devices.

Which was read and referred to the Committee on Public Safety.

Also,

No. 325 Resolution providing for the issuance of a warrant in favor of Louis Tambellini's Restaurant, 860 Saw Mill Run Boulevard, Pittsburgh, PA 15226, in the amount of \$502.75 in payment for the Officer Friendly Luncheon furnished for the benefit of the City, chargeable to and payable from the Officer Friendly Program Trust Fund, Code Account OFPTF.

Which was read and referred to the Committee on Finance.

Also,

No. 326 Resolution providing for an Agreement or Agreements with the Salvation Army for professional services in conjunction with the Public Inebriate Program, at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account 1401, Miscellaneous Services, Administration Bureau.

Also,

No. 327 Resolution providing for an Agreement or Agreements with Addison Terrace Learning Center in connection with their Pre-Teen Drug and Alcohol Prevention Program, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1401, Miscellaneous Services, Administration Bureau.

Also,

No. 328 Communication from John Norton, Director, Department of Public Safety, requesting permission for Eugene Thomas and John Gourley to attend the National Fire Academy at Emmitsburg, Maryland from March 3-14, 1986, at a cost not to exceed \$275.00, payable from the Department of Public Safety Third Party Payers.

Also,

No. 329 Communication from John Norton, Director, Department of Public Safety, requesting permission for John R. Moran, John Bauer, Francis Deleonibus, Dave Kielman, Glenn Cannon and Robert Full to attend the 58th Annual Fire and Rescue Instructors Conference in Cincinnati, Ohio from March 15-19, 1986, at a cost not to exceed \$3,950.00, payable from the Department of Public

Safety Third Party Payers.

Which were severally read and referred to the Committee on Public Safety.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 330

Report of the Committee on Finance for February 19, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 209

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Facchiano Construction Company (Michael Facchiano, President) in the amount of \$26,201.20 in payment of Extra Work, being in addition to the original contract price of \$176,280.00 on Controller's Contract No. 27401, furnished for the benefit of the City in connection with the Repaving of Roseanne Avenue from Younger Avenue to the cul-de-sac area; and providing for the payment thereof."

Which was read.

Also,

Bill No. 216

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Industrial Rubber Products Co., 294 Corliss Street, Pittsburgh, PA 15220 in the amount of \$310.00 in payment for Repair of the Ferric Chloride Bin at the Water Treatment Plant furnished for the

benefit of the City and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 219

A Resolution entitled, "Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act; providing for the execution of Grant Contracts and for the filing of requisitions and other data; providing for the appointment of the Private Industry Council and authorization for the Private Industry Council and the City of Pittsburgh to enter into agreements authorized by the Job Training Partnership Act; providing for required assurances; providing for execution of payment vouchers and for certification

of authorized signatures; providing for a contract or contracts with various agencies/employers for services and programs related to training and employment of the Job Training Partnership Act Projects; and providing for the deposit of funds into a bank account."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 263

A Resolution entitled, "Resolution providing for the issuance of a warrant to Harold Shuler, Executor of the Estate of Barbara Shuler, Deceased, in the amount of \$100,000.00 in full settlement of claim for personal injury, resulting in wrongful death of Plaintiff's decedent, and providing for the payment thereof."

Which was read.

Mr. Pollock:

Mr. President, on Bill No. 263, which is the settlement of a lawsuit for the wrongful death action, I would ask that guidelines be set forth from the Department of Public Safety, Director Norton, and/or City Solicitor Dante Pellegrini concerning the proper action that the City Police should institute in chasing in hot pursuit of an alleged criminal so that incidents like this would not occur again. I would ask that these guidelines be set forth.

I realize that there is other litigation involving these types of action right now. Besides this lawsuit, there are other lawsuits and I know that because of that, Mr. Pellegrini and/or Mr. Norton would not want any statements of theirs put forth so that it might affect those lawsuits.

But I would like to have guidelines, if they're not already in place, be put in place so that occurrences like this would not happen in the future. What I'm talking about is that there should be a City policy regarding hot pursuit of cars so that other wrongful deaths or accidents do not occur and if these guidelines are not in place that they be immediately studied and be put in place.

The Chair:

If I could just add, since this incident they have been implemented and now we do have guidelines concerning that subject among other things.

Mr. Pollock:

Okay, if that's the case I would like that members of Council be sent copies of those guidelines so that we all know them.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 331

Report of the Committee on Finance for February 24, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 261

A Resolution entitled, "Resolution authorizing the Mayor and the City of Solicitor to enter into an Agreement or Agreements for the hiring of counsel to assist in the representation of the City of Pittsburgh, Richard S. Caliguiri, Eugene P. DePasquale, Ben Woods, Mark Pollock, Sophie Masloff, Michelle Madoff, Richard Givens, Stephen Grabowski, Jack Wagner and James

O'Malley in the case of Metropolitan Pittsburgh Crusade for Voters, et. al. v. City of Pittsburgh, et. al., filed in the United States District Court for the Western District of Pennsylvania at C.A. No. 86-173, at a cost not to exceed \$75,000.00, payable from Code Account No. 1075, Miscellaneous Services, Department of Law, Index Code No. 107508."

Which was read.

Michelle Madoff:

On Bill 261 which is the filing of the voting for the \$75,000 for defending ourselves in a lawsuit, I would like to point out that there is money available to hire two more attorneys in the Law Department. Subsequently, that same money, which is already budgeted, could be used to get us into position so that we could negotiate with the people who filed the lawsuit and not have to incur an additional \$75,000 worth of debt.

Further, I'd like my comments, though I don't want to go through them again, brought forward from, and I think probably all of us want our comments brought forward, from the meeting that took place earlier today.

I think Mr. Pollock can speak for himself but I would like to support his position that we better get together as a body with the Administration, with the Mayor, who has told me that he has already gone public, as you know, that he supports the concept of combination. And let's find out where we stand before we start voting for monies of any substance to defend ourselves against what we don't even know as yet.

As I said, my greatest fear is defending ourselves and winning the lawsuit because if we win the lawsuit, we stay at large and then the issue becomes

a black-white issue and that is very frightening.

The Chair:

If I may, and this is just - please, this is just a suggestion so don't anyone misunderstand me - if we're going to repeat what we just said at the Committee Meeting 15 minutes ago, I would please ask that you just ask that your remarks be brought forward. It's just a suggestion.

Mr. Pollock:

That's all I was going to say, that my remarks be brought forward.

Mr. Wagner:

I'd like my remarks brought forward.

The Chair:

Could I ask this? Could all of the remarks be brought forward into today's record from the Committee Meeting. Thank you.

**(BEGINNING - COUNCIL'S REMARKS
ON BILL NO. 261 - MONDAY, 2/24/86)**

Mr. Pollock:

Can Dan please come to the table?

Dan, are you aware of all the public opposition to this expenditure and, as I expressed when you were appearing before us at the public hearing, I would hate to see us spend money that you wouldn't have to spend if it becomes moot and the state legislative action proceeds. I understand everything you said and I appreciate it and I'm glad you made the points you did at the public hearing, on your personnel and staff, and the bitterness and possible permanent

damage to the ambience and the cooperation between the public and the City Solicitor's Office might be permanently damaged — I'm aware of all of that.

I would like to see us bide time until we know which way the state legislature is going to proceed and that's why I was trying to see if the Law Department could file the answer which I'm sure you're capable of doing yourself, and more or less just trying to delay the legal action as long as possible until we know — we should know within some time what the state is going to do because they can't sit on it forever.

Dante Pellegrini
City Solicitor
City of Pittsburgh:

Unfortunately, as you know with federal court — first of all I don't know when it's going to come out of the state. You're not on an indefinite time period. They have definite rules as all discovery must be closed within 240 days and so on. The amount of hurs that will be spent, some of it will be spent in drafting the answer. A lot of it will be spent just in preparation. Now you make all of your preparations — no matter what you think may occur because if what you think will occur and in the state legislature it doesn't occur and you're not ready to go to trial then you're in serious trouble.

The other thing is, the \$75,000 now, it's a lot of money and it sounds like a lot of money but in the overall scheme of things that is not a lot of money for this type of action and for the amount of work that needs to be done initially. I mean, we're going to eat up that \$75,000 with just the discovery because when you're talking in terms of discovery you're talking in terms of hundreds of documents. This case is going to be the

political history of Pittsburgh.

I don't think we can hold off but I think everyone has to realize, what are we doing in a lawsuit. Well, we have been sued — we did not pick the timing of this particular lawsuit. When you get a complaint, you must answer and you do your initial work and you stabilize the situation and other events in it and it doesn't foreclose anything and all it does is that you're initially trying to stabilize that situation and be prepared to go forward. So, we're not foreclosing anything, we're not foreclosing anything that the individuals had discussed on Friday, we're just trying to get ready and get it in a state that we can represent everyone here and everyone's informed. I think that's one of the crucial points. No one is ill-served by getting the best advice possible in this type of litigation and this is a specialized field. Plaintiff's counsel is out of Washington, D.C., but my understanding is that the person that's actually going to try it is out of Florida. So this is a specialized area and everyone should get the best advice possible and that advice has cost a lot of money. The plaintiff's are going to pay a lot of money also.

Mr. Pollock:

Dan, I agree with you totally that if in fact the case has to proceed that we do obtain the best counsel possible and I have no doubt that law firm who you found is the best counsel available and we should in fact use them. My purpose is to try and see if we can forestall the action, and I think what we have to do is get the plaintiffs involved in this and after the public hearing on Friday, Michelle had some discussions as did I and we both feel that there's a possibility of speaking with the plaintiffs and having them forestall the action while discussions are being held. I'm sure that they're not in any desire to spend money

needlessly any more than the City is and that maybe by having discussions, obviously if both parties agree to delay the discovery time then you can go into court and get a consent order to delay the discovery and I think we should really pursue that at this time.

Mr. Pellegrini:

I don't have any problem with pursuing that and all that does is it means that the initial number of hours that we use goes way down. My own feeling on that, and I haven't talked to any of the people involved, everyone knew that there was a go in the state legislature and they timed this lawsuit knowing full well that the bill would have come out, but I don't have any problems in discussing it and as you know in federal court we just can't say we're not going to put this issue on top of Judge Ziegler, but I think it's important that we get Council on right away and that he does the initial preparation. I don't know if you've had a chance to read the complaint but there was a number of hours invested in this complaint. I wouldn't be a bit surprised if they have \$10,000 to \$15,000 invested in the complaint on their side. So, what we want to do is get to the same stage that they are. They seem to have a lot of ideas about what they want to do, where they want to go and we should be at the same stage and they shouldn't expect us to do anything now or consider anything now because we're not at a stage where we can do that. My guess is that there is about 30 different defendants in this action. This is a rough book and there's a whole sheet. That all has to be sorted out, that all has to be coordinated. Some of them want out, some of them are going to have to be out, but before we know whether we can do anything we have to know what the preliminary status of this lawsuit is and that's why we need the money now.

Mr. Pollock:

Okay, you stated that this complaint was very similar as the one filed in California. You can easily obtain a copy of the answer that was filed — I assume by the same firm that we're talking to here, and what I'm asking is for you to consider, and what I would advise is that the City Law Department file an answer, obtain a copy of the answer filed by the law firm, the same law firm we're talking to in the California case, file an answer which puts you in the same position as the plaintiffs are in, start talking to the plaintiffs about trying to amicably resolve this or delay it until the state determines whether or not it will put in an act that would make this whole case moot, and just have both parties stop. As I said, they're not in any hurry to spend money and if we just have the Law Department start to have the discussions, then we wouldn't have to spend any money at all.

Mr. Pellegrini:

I don't have any problem with discussing that but what I would suggest — first of all I think it's easier to go and get an answer — there's two problems with it. This was tailored for Pittsburgh but more importantly it would be somewhat ironic that the law firm that we're requesting to use we go out and steal their work product and bring it back. It's done all the time and I know that, but if for whatever reason the legislature doesn't do what it's supposed to do and we have to go forward with the litigation, this firm should be in place, they should at least have the basic preparation done and so if we have to spend that money now it's well worth it being spent now. It doesn't foreclose any of the options that you're suggesting and I will call plaintiff's counsel and see if they want to do a standstill agreement

until they see what the State Legislature does, that's fine, but I think this law firm should be in place, that we should have some of the basic work done because you should get -- and the City should have the best advice available when it comes the time that there's no standstill, number one, if there's no standstill we still must go forward, and number two, if the State Legislature doesn't pass it for whatever reason, they have to be in preparation to advise everyone. So, it costs money and I hate to spend taxpayers' money but sometimes that's necessary for an important issue like this. This is an important issue and I think that this is money well spent. Even if we get a standstill agreement and even if we put it on the ballot.

Michelle Madoff:

As you recall, Dan, I met with the leadership of the umbrella group that is -- I didn't really meet with them, they sort of approached me after my statement about let's try to get together and resolve this without litigation, without going to court, and I think there's one statement that I should correct; I think you're right, Dan, I think they are very eager to go to court; they're not waiting for the legislation. And the reason that they're not waiting for the legislation is they feel -- this esteemed body, this Council membership and the Mayor want it to get out of committee it would get out of committee, that's what they've said to me repeatedly. If we wanted to put the heat on and -- because the Republicans also have an interest in this and I believe it's in the Republican Committee's hand that this could get out of committee and the reason that they're taking the legal action is to say, "Alright, we're holding the cards, now you move", and they don't necessarily care if we move through litigation or they move to litigation. They are going back today to talk to

their respective people under their group, there are two or three different groups that represent many other groups. As you say, there are one-half dozen people in the case. You've explained to us that until the class action is certified we can still do some kind of negotiation except that we'd be -- in other words if I talked to the group they can quote what I say and that puts me at a point where I can be subpoenaed.

Mr. Pellegrini:

More importantly than that, I think you misunderstood what I said on Friday. You're a defendant.

Michelle Madoff:

Not if I don't want to be.

Mr. Pellegrini:

Well, as of today you're defendants. I mean, you don't have any choice.

Michelle Madoff:

But if I become an amicus to the other side --

Mr. Pellegrini:

You're a defendant. As of this date you cannot talk to any of the named plaintiffs in this action. You cannot.

I saw in this morning's paper where you said that Mr. Plato offered to make his house available. Mr. Plato is not authorized to talk to you. Don't talk to anyone, don't do anything --

Michelle Madoff:

What happens if I do? What can happen to me? I mean it's advisable not to, but what are the legal ramifications

if I wish to try and bring this thing to a resolution by meeting the parties?

Mr. Pellegrini:

I'm not going to do anything to you.

Michelle Madoff:

What's going to happen if I want to meet with the people and try and resolve it without litigation?

Mr. Pellegrini:

If Council gets upset they can get a court order barring it.

Michelle Madoff:

To do what, to say don't --

Mr. Pellegrini:

Don't talk to anyone.

Michelle Madoff:

Meaning our group?

Mr. Pellegrini:

You're the defendants and you can speak to anyone that you want. It's always advisable in this type of a situation, and I know it's hard for anyone involved in political life not to say anything about this because you are in litigation as individuals. Now we can discuss other things at other times.

Michelle Madoff:

What is to prevent me other than the fact that you prefer that I don't talk to anybody? If I want to sit down and meet with all the parties or Mark wants to sit down and meet with all of the parties, what are the ramifications?

Mr. Pellegrini:

I can't say anything about you but I can say something about Mr. Plato meeting with you.

Michelle Madoff:

What happens if I meet with Mr. Plato?

Mr. Pellegrini:

I can ask the court for Mr. Plato not to meet with you.

Michelle Madoff:

Then my next question, I met the Mayor outside of the building on Friday and we had a chat and he would like to resolve it by having a group of the parties together because he has publicly stated that he's --

Mr. Givens:

Mr. Chairman, we are being sued as a body, not as individuals and I would say that anything that we say here --

Michelle Madoff:

He's out of order, he's interrupting me.

Mr. Givens:

Anything we say here will be held against us in a court of law and I would like personally to have this particular discussion terminated right here.

Michelle Madoff:

He's out of order because I'm on the subject.

I'm telling you that the Mayor has stated that his position which is public

information and is not secret information, he has said so in all of the media, is that he would support a combination form of government and he would be happy to meet with all of the parties and he particularly would like to see a 7-4. Now I subsequently spoke to the leadership of this Council who has stated that they would prefer to have either all at large or all by-district and my feedback was that they don't want to have four elitist Councilmembers. Now my feelings are that there are no elitist Councilmembers because if Mr. Woods represents the Northside and Sophie Masloff represents people at large, Mr. Woods' vote is just as important as Sophie Masloff's vote because if you don't get a majority of votes nothing passes, so there is no such thing as elitist votes.

I have a gut -- I'm not sure but I have a gut feeling that the majority of this Council would support a combination as opposed to the status quo which is all at-large or going to an all by-district for various selfish and very altruistic reasons. Now the worst thing that could happen -- I want everybody to listen to this -- the worst thing that could happen if we defend ourselves and we win, the worst thing that could happen is if we win, if we win the lawsuit, that's the worst thing that could happen to us. Do you know what it becomes? We stay at-large and it becomes a black and white issue and I am terrified of that happening. So I'm saying in our own best interests, let's sit down, let's sit down with the other parties, let's get a waiver from them saying that we can sit down because the Mayor is willing to interact and see if we can come up with a compromise position.

I tried to talk to you the other day and we missed each other and I wanted to relate just what I'm relating now but I don't do anything in secret anyway.

Mr. Pellegrini:

Can I answer that? I think what you raise is a good reason why we should do nothing at this particular point in time. One thing about litigation provides structures, it provides time for reflection. What you indicated is that there is, even if we could do what you are suggesting at this time, that there is nothing to agree on, there's differences of positions throughout. A lawsuit is an opportunity and that is essentially what you're saying but sometimes the opportunity only comes after a time. The worst time to discuss anything is when a lawsuit is first filed because that's when the positions are just starting to get sorted out and all we're asking now is for the ability with this money to sort out the case and get into a position where all of you can sort out the litigation. We are not forestalling anything. We are not saying that there should not be discussions with the plaintiffs, we're not saying that there should not be a standout agreement until the legislature meets. We're not saying any of that but what we're saying is that we have an obligation to file an answer to this complaint and to do the necessary things to give you the advice. So, by voting for the \$75,000 you are not saying you're going to the map and we're going to defend it to death. What you are saying is that we are going to start this litigation and we're going to sort it out and we're going to get into a position where we can do what we want to do and that's what lawyers are here to do, to do what you want to do but I don't think anybody today, with the filing of the lawsuit knows what you want to do or is in a position to tell me what you want to do and so I need that assistance to go out and get counsel. Now is not the time to discuss settlement.

Michelle Madoff:

I think you're wrong, Danny.

Mr. Pellegrini:

And here and now is not the time. This is litigation and under the Open Meeting Act we can get in a meeting and we can sit down and I can explain all the options, I can explain what is involved in this litigation, where we are going to go and I can bring in the person from New York who's tried seven or eight of these cases and have had much more experience. What I'm asking you to do is have the same advantage that the plaintiffs had. They called in people from Washington, D.C. and from Florida who has as many if not more than these cases. So before everyone goes off and says that we should do this and let's file the answer, let's get in a position where we're able to do what we want to do.

Michelle Madoff:

To do what I want to do.

The Chair:

Let me ask you a question. Since they've already filed the lawsuit and we are the defendants in this case, it is proper that as a body that's going to defend itself that we should be discussing this issue at this table?

Mr. Pellegrini:

I don't think the specifics of what the issue is should be discussed at this table. I think the \$75,000 and what I intend to do with it is proper but when we get involved and what Council wants to do, whatever way you want to do it is not for discussion at this table. All those options should be presented to you and you should discuss it. That's good counsel and that's what plaintiffs had and

they're entitled to it and that's what you're entitled to also and that's what the \$75,000 —

The Chair:

So what you're saying is that we should discuss the \$75,000 but not the body of the case.

Mr. Pellegrini:

No, I don't want to discuss the body of the case.

Michelle Madoff:

Dan, do you need the entire \$75,000?

Mr. Pellegrini:

We will encumber \$75,000 —

Michelle Madoff:

How much would you actually need right now just to get it to a point where parties could get together and discuss options?

Mr. Pellegrini:

The answer is that we encumber the \$75,000 and we'll spend what we need —

Michelle Madoff:

How much do you think it will be?

Mr. Pellegrini:

I don't know and I'd have to go back and talk to him and the question is, we have to decide in a meeting exactly what you want to know at this particular time, and we also have to get ready in case — I need the \$75,000 — if I call up and I say, "Will you agree to put the lawsuit on a

complete hold until the state legislature moves?", and they say no, then I'm going to need a lot of money real quick.

Michelle Madoff:

Can't you come back to us?

Mr. Pellegrini:

I have eight or nine pages of information that I already have to get to them.

Michelle Madoff:

You don't need \$75,000 right now. Could you use \$15,000?

Mr. Pellegrini:

I don't want to keep coming back.

Michelle Madoff:

I would rather you keep coming back.

Mr. Pellegrini:

I want the \$75,000.

Mr. DePasquale:

Dan, perhaps my question is out of order and maybe I should be asking the plaintiffs but in regards to the complaint, I just grazed over it and maybe I shouldn't say this but I'm not quite sure what this Council is being sued about. Am I correct and can I ask you, are they suing the Council for their actions in 1985 for not passing a referendum; is this what we're being sued about?

Mr. Pellegrini:

No, it's more general than that. Under the voting rights amendment of

1982, what they're saying is they're being denied access to the political system essentially.

Mr. DePasquale:

Because we were elected?

Mr. Pellegrini:

Because there are not blacks on City Council. There are certain defenses to that, and then there is a second count. There is a 14th and 15th amendment which alleges intentional discrimination to keep blacks off.

Mr. DePasquale:

Well, would you say that most of the action goes back to the 1985 Council? I'm not trying to put the illness on Council in 1985. What I'm trying to find out is how in God's world could they sue Mark Pollock and I. We were elected in November. Were we supposed to go out and campaign for somebody else? I mean, is this what they are telling me?

Mr. Pellegrini:

They have also sued the Democratic party. That's part of the — they're alleging.

Mr. DePasquale:

I'm not a lawyer, but I seem to think it's rather frivolous to be suing anybody unless it's Mark Pollock and I.

Mr. Pollock:

Danny, many times when a client comes into my office and is either being sued or wants to sue and doesn't have the money to even pay my small retainer or my small hourly rate, do you know what I tell them? I say, "Talk to the other party and try to settle it yourself, and

then come back to me and I'll draw up the agreement." So, I think if Michelle and/or the Mayor, especially the Mayor, wants to talk to the parties, I think that's good advice, not bad advice.

Mr. Pellegrini:

I didn't say that.

Mr. Pollock:

You seemed to say that that was bad advice. I mean you talked about both attorneys going into court to get injunctions from preventing the parties from talking.

Mr. Pellegrini:

No. I said that the normal practice is they don't —

Mr. Pollock:

I agree. But when the parties don't have money, and I think we should all be considered as if we don't have money, because we really don't, and the same with the other side. They don't have any money to start throwing around. If the parties can resolve the issue themselves, that should be encouraged as much as possible, and if the Mayor wants to get involved in these discussions, we should find out if in fact he does, and he should be encouraged to involve himself in discussions, and maybe if the Mayor does get involved in these discussion, if he so desires, then this case can be settled without any money being spent.

Mr. Pellegrini:

Well, I'm sure families have some into your office feuding, and what you just want to do is tell everybody to see another attorney, and essentially what we have is a family feud in this situation, and what we have to do is we have to —

we don't even know what our position is. We're not even at that point. And litigation offers the opportunity to sort out exactly what everyone wants to do, but that's going to be expensive. The plaintiffs did not — they are paying these people. They're committed for large amounts of money. While \$75,000 is a lot of money, for an issue this big, that Council has the best advice possible, it is not a lot of money.

Mr. Pollock:

I agree. But their attorney worked for them. Let's call them Reginald Plato, okay, because he seems to be the lead of the plaintiffs. Reginald Plato calls the shots on this case. He tells his attorney what to do, and he tells his attorney what not to do. So, he controls everything. If we can get Reginald Plato to sit down, whether it be with the Mayor or with you or whoever, and say this is crazy, you don't want to spend money, the City doesn't want to spend money, and you don't want the City to spend money, let's stop everything. Tell your attorney to stop. Don't go into court. Don't get any injunctions. Don't get any sanctions, let's try and resolve it. And we don't need an attorney, and he doesn't have to spend any more money. I would ask that we at least pursue that. Let's talk to Reginald Plato.

Mr. Pellegrini:

I will call Mr. Henderson, and I will ask him if they will do a standdown agreement.

Mr. Pollock:

Fine.

Mr. Pellegrini:

But the whole problem in asking if

he wants to stop going forward until the State Legislature —

Mr. Pollock:

Not just the State Legislature, because we don't know. Let's see if the parties can settle it.

Mr. Pellegrini:

As a practical matter, you can't settle it now.

Mr. Pollock:

How do you know that? What is the basis of that?

Mr. Pellegrini:

I don't want to — from a very good legal reason, you cannot settle the case now.

Mr. Pollock:

Even if the Mayor were to get involved?

Mr. Pellegrini:

There are a couple of reasons. Number one — I'll discuss — they are valid reasons. A settlement now, if we can settle, and that's a whole different issue, but if we can, we can't do it now, and it relates to the nature of class actions.

Mr. Pollock:

But we can get the action stopped so that the plaintiffs don't go further with anything, and it's just on hold.

Mr. Pellegrini:

We can request that they stop the proceedings, but I would not recommend

that we — we filed it. We can at least get into the position of filing an answer and do some of the basic research because assuming that you can him doing what you want to do, you should still have the best advice possible.

What we are really — what is really before you is do you want to have the best advice possible to do what you want to do; whatever you want to do. I don't make a decision about what you want to do, but you should at least give yourself the best opportunity to get the best advice possible. The plaintiffs did it, and I think in this situation, with that issue as the basic structure of the government of the City of Pittsburgh, you owe the citizens that. All of the citizens. And \$75,000 is not a lot of money.

Mr. Pollock:

We don't need \$75,000 to get the advice to put ourselves in the same position that the plaintiffs are in.

Mr. Pellegrini:

If we decide — if they say go ahead and I don't have to spend — I have to spend some money, but not the amount of \$75,000 and I can tell everybody to stop discovery and do everything. It's not a retainer. It's on an hourly basis. It's not a retainer. It's on an hourly basis. I tell them to go out and prepare an answer and do some basic work and tell them to wait for a call. We may want to call them up during the course of this and we may want to ask questions. That will cost money. But I think that money is money well spent in this type of situation.

Mr. Pollock:

I agree. If would ask that we either hold this legislation or that you lower the request. If you need more

money, you can get an interim approval like this, Danny. You can write a letter and get more money in two minutes.

Mr. Pellegrini:

The answer is that we need a significant — when I called the attorney in New York. We need a significant amount of money that we have in the account, and I need enough money to begin discovery, and I don't want to keep coming back and forth on this issue. If we need it, it's there. If we don't need it, we won't spend it. All I'm asking is that you get the best advice available to fight it or do anything else you want, or to wait for the General Assembly.

Mrs. Masloff:

My question is if we start this proceeding, somewhere along the line, maybe two or three weeks and we settle or something happens and you have blown the whole \$75,000.

Mr. Pellegrini:

We are only going to pay what we spend; the hourly rate.

Mrs. Masloff:

But you said that from the start it would cost that much.

Mr. Pellegrini:

No. What I'm saying is after three weeks, we will file an answer to the complaint. Just the initial outline of discovery will be done. But in all honesty, if we can settle, we would not settle within three weeks for reasons — you cannot settle a class action until the class has been certified. It is absolutely foolish because you can be sued the next day, so we would have at least had to go through that process to get to that

point. So, those are some basic things that would have to be done. There is a lot of house keeping that would have to be done just to get to the point, if you all agreed, that we could settle. There is a lot of house keeping work.

Michelle Madoff:

I'm going to be very brief. I would suggest that you take the route that Mr. Pollock has suggested, and that you try to put it on hold. I suggest further that the President of this Council or any other member of this Council convene a meeting with Councilmembers because the President of Council may not share the same viewpoint, but all of us that wish to get together and decide what our position is. We have never discussed that. At least let's know where we stand on it. And I think we ought to meet with the Mayor and have a united form as to what we want.

We may not be unanimous, but we may be a majority and I got, from a little bit of feeling and talking that I have done to this Council, I think we will have a majority position as to what we want to do because I repeat again, if we continue with this lawsuit, and we win it, we are in worse shape than if we had lost it. And I think we have to just circumvent going to court at all.

Mr. Pellegrini:

Even if you want to go through with that process, and even if that process is available, you will still need money to get to the position in court to do the normal house keeping matters and during those discussions, you should have the best legal advice possible because the decision that you're asking to make is something that should not — again. You changed the form of government. You should only make those decisions with the best advice available.

Michelle Madoff:

Excuse me. May I disagree, Mr. Chairman. It's not with the best advice available. It's the will of this Council and the will of the Administration. If we will that we should change the format to a different structure, and we can convince the people suing us that it's in the best interest of everybody, that they also feel the same way, we don't need a lawsuit, and I don't think you want to put two people who are at heads with each other, namely Mr. Plato and the Mayor in the same room together. I think what we need to do, and as you used that name of the person, and you don't know the history, what we really need is an independent group that was here the other day to convene a meeting of all parties as soon as you can get us position legally to do that.

Mr. Pellegrini:

My own feeling is outside of a class action, if that is available outside of a class, once the class is certified that those discussions — while they may be useful, are not beneficial to the goal that you're advancing.

Michelle Madoff:

Can't we have a meeting before the class action is certified? Isn't that what you told me before?

Mr. Pellegrini:

Until a class is certified —

Michelle Madoff:

We can do anything.

Mr. Pellegrini:

Let me finish. Until a class is certified, whatever you agree to really

doesn't have a lot of relevance.

Michelle Madoff:

Except that if we can all agree, if both parties can agree, then it's relevant, and we don't have to go to court, and that's the point both of us are trying to make.

The Chair:

Danny, hold on. We're starting to go around in circles. Mr. Wagner, then Mr. Pollock and I'm going to cut off debate.

Mr. Wagner:

Mr. Pellegrini, the question I asked you earlier I must pose publicly. You indicated you have 15 full-time attorneys working for you. Council has budgeted 17, so, therefore, there are two vacancies. Is it possible for us to hire two full-time attorneys to put them on this case, and reduce that figure of \$75,000 to a lesser figure?

Mr. Pellegrini:

The answer is no. I need those two attorneys to handle the load I have. Number two, we are not specialists in the Voting Rights Act; and, number three, I don't think it's in anyone's best interest here for me to go out and hire two attorneys. It will take me 30 days to interview, to get them up to speed. It's just impractical.

Mr. Wagner:

In other words, you are saying you cannot do it. That that's really not a —

Mr. Pellegrini:

I'm saying we could do it, but a lot of other work would suffer.

This is not the type of case that it's what would be in the best interest for my office to try. I think that you should have people come in who are specialists in this and say to you, these are your options, this is what the law is, this is what we did in California, this is what we did in Fort Lauderdale, Florida, and this is the law that's developing. And this law is moving rapidly, because these -- it's not like a settled area of the law where you just go to the books, the leading cases are now in the circuits. We don't even have circuit decisions on the '82 amendment yet.

Mr. Wagner:

I'm not necessarily suggesting to have no outside legal assistance. I guess what I'm doing is suggesting that the figure could be cut and devote a full-time or two full-time people on the case.

Mr. Pellegrini:

The answer here is that you need somebody to be involved from outside the department. We could put people on, but by the time they geared up we would be at a disadvantage. We're at a disadvantage now. I mean, if you talk in terms of the plaintiffs, when you try these cases you get whole sets of interrogatories that are developed. The defendants have those sets developed also. We're sharing in hundreds of hours of other work that they've done in other cities. It would take us an enormous effort to gear up. If Council said no, they're not giving me the money, we would have to gear up to do it, but there would be enormous amounts of other things that wouldn't get done, tax collections wouldn't be done, other lawsuits wouldn't be defended.

Mr. Wagner:

One last question.

Mr. Woods:

Point of order. We have to start the other meeting at 2:00 o'clock. I'd like to ask the Chairman if he'd recess so we can call the roll, recess, we don't have to move, and come right back here.

The Chair:

I'm going to recess. I'm going to recess Standing Committee of Council until ten minutes.

BRIEF RECESS

The Chair:

Council will now come to order.
Mr. Wagner:

Mr. Wagner:

My final question, if the \$75,000 is approved by Council, will Council as defendants meet periodically with our legal advisors in regard to this?

Mr. Pellegrini:

Yes. Each one of your depositions, in all likelihood, will be taken in this action.

Mr. Wagner:

So the guidance as to what our position is individually, whether we favor district elections, whether we favor at-large elections, whether we favor a combination of both, that opinion will be given individually from each one of us and I guess collectively some opinion will be given to these people.

Mr. Pellegrini:

No. I think what will happen is that he will give you an over-all assessment of the lawsuit. What you're

talking about is remedies, and when you talk in terms of remedy and what your particular position is, that doesn't really go to the merits. You're talking about merits as opposed to remedy.

Mr. Wagner:

Well, the point I want to ask you is this. Obviously the plaintiffs favor district elections. Correct?

Mr. Pellegrini:

At this point we don't know.

Mr. Wagner:

Well, isn't that part of the lawsuit that they favor?

Mr. Pellegrini:

There's a lot of things in lawsuits that you don't know until you sit down and you discuss them. Part of the lawsuit — lawyers understand this — part of the lawsuit is a sorting out, and it's a sorting out both on the parts of the plaintiffs and on the parts of defendants, and while this is such an important issue that, you know, \$75,000 is a lot of money, but it's not a lot of money in relation to this particular issue.

Mr. Wagner:

Well, I strongly think that they favor district elections.

Mr. Pellegrini:

They may favor a combination.

Mr. Wagner:

Okay, that's possible.

Mr. Pellegrini:

They may be as divided as we are.

Mr. Wagner:

That's possible. All right. Is it a conflict of interest, if that is the case, for a Councilmember at this table that favors district elections to vote for this legislation? I publicly have said that myself in the past, and I'm trying to determine specifically where I stand in relation to this legislation, as it relates to my opinion on the issue.

Mr. Pellegrini:

The answer is no, and the answer quite succinctly is the law of the City of Pittsburgh today is at large, and unless there's a change this Council, through the legal process, this Council has to defend that position, unless other events occur, and until then that's all we're asking, is to defend, and get the best legal advice available. Plaintiffs did that. That's your right and that's your obligation. I mean that's really your obligation.

The Chair:

Okay, Mr. Pollock and then we're going to cut off debate and go to the podium.

Mr. Pollock:

Danny, this is a very fundamental question that we have to address, and that is, we were sued, the City was sued, the Mayor was sued, and nine members of Council. Your clients, as the City Solicitor, are those plaintiffs, the City, the Mayor and the nine members of Council.

Mr. Pellegrini:

Uh huh.

Mr. Pollock:

How can we sit here and talk about retaining outside counsel when we have never sat down as a group with or without you and decided whether or not we want to defend this suit? Now, let me finish. This is a very esoteric subject, rather technical. to put it in as simple terms as possible so that everyone can understand it, if we were sued, the nine of us and the City and the Mayor because we owed a bill to somebody, okay, if we said, hey, we owe the money, let's pay it, why should you presume that we should want to defend the lawsuit and incur additional expenses above and beyond what the actual debt is and then have to pay — let me finish, Danny, — and then still have to pay the debt? If we as a body feel we don't want to defend the lawsuit, then we don't want to have an attorney. We as a body can decide they're right, we agree. You filed the lawsuit, but we agree. We don't want to defend. So the first thing that has to be done is that we do have to sit down, with or without you, but with the Mayor, and decide, hey, do we want to defend this lawsuit or do we want to agree with them and take a default judgment or consent order, which we have never done. And that should be the preliminary thing the preliminary procedure to follow. I'll be done in a second. You're presuming that we want to defend the lawsuit. You're presuming by retaining counsel that we don't agree with the plaintiffs.

Mr. Pellegrini:

No, I'm not.

Mr. Pollock:

Well, by hiring an attorney —

Mr. Pellegrini:

How many times have people come into your office and said, here's a lawsuit, you defend, and you end up doing something later after you answer the complaint? Every answer does not mean that you're going to fight to the death. And, if you want to sit down and you want to discuss it, you should have that advice available. All I'm saying is that you should be in a position to get that advice. This is not something in the overall scheme of things that we should say here, we give up, because there are people that like at large, there are people that like combination, there are people that like district. That has to be sorted out.

Mr. Pollock:

Right.

Mr. Pellegrini:

Unfortunately, that is not something that can be sorted out in 48 hours or three weeks or a month, it's going to take longer, and what we have to do is, we have to file an answer and we have to get into a position to, one, to defend, or do what you want to do, or do what anybody wants to do.

Mr. Pollock:

Danny, you're our attorney, okay, you do not know if all nine of us feel that we want it to be all district. Maybe we don't even know. We have never sat down and decided. You talk about the analogy of doing different actions once the client walks into my office. Well, the minute that client walks into my office, he or she is already in worse

shape than if he or she was to eventually to agree with the lawsuit. They have to pay me something, so they're already tacking on more to what they bill is. If somebody gets sued and they know they have the debt and that they're going to eventually have to pay, then why walk into my office. If they agree, they don't have to tell me to pay the bill, because they'll have to pay me something extra.

Mr. Pellegrini:

The answer to that question is simple. You are not making a decision here to say yes or no, you are being asked to say that the law of the City of Pittsburgh is being administered legally, that we are going to change the basic form of government that we had since 1901. If you can do that and if you want to do that, I don't think that that decision can be made in two weeks. I think in all honesty there's enough disagreement among you in this room that it's going to take longer than several weeks to sort out. Now if we spend the money to go out and get in a position to do your will, that is not money well spent. Even if you decide whatever you want to decide, but you should not foreclose any opportunities. And to say that you want to give up today is just — I mean, you're right, you could do that, but I think that would be irresponsible because you don't have the best advice. Now the plaintiffs would agree with that. Every plaintiff would like to have everybody give up, but you could only make a decision as well-informed —

Michelle Madoff:

Dan, you have the money to pay for them. The \$75,000 could be used to hire two attorneys. Don't hire them but use it for whatever legal counsel you need. We don't need to vote another \$75,000.

(END OF REMARKS)

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
	(Pres't)

AYES 6

NOES 3

(MICHELLE MADOFF, MRS. MASLOFF AND MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 262

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$15,956.21 in favor of Titus Marcus & Shapira for legal services rendered to Ronald C. Schmeiser, Director of Finance, in conjunction with Civil Action No. 85-1525, filed in the United States District Court for the Western District of Pennsylvania."

Which was read.

Mr. Pollock:

On Bill No. 262 which is the payment of the attorney's fees for Ronald Schmeiser. I agree that these bills should be paid. I will be voting for it but Mr. Flaherty, in his public hearing

that he requested last week, did put forth one good point that I agree with and that is the question of should a person who is put in the position that Mr. Schmeiser was in this case, in the future, should he or she not have to come before City Council to seek approval to obtain private counsel in the future as we do on so many other bills. In this case, it wasn't done; I think it's what is known as harmless error because we would have approved it. He did obtain one of the best attorneys that he could obtain so, as I say, it was harmless error. But there could be instances in the future where we might not agree with what was done, there might have been attorney's fees attained that we might not support, that might be excessive, and so forth.

I would ask then that the City Law Department study this question and that we have guidelines for the attainment of private counsel for City employees when the City Law Department cannot defend them. We shouldn't have to re-invent the wheel every time. There should be a City policy regarding City employees obtaining private counsel. When are they allowed to obtain private counsel? What type of actions necessitate private counsel as opposed to the City Law Department, and maybe, whether or not City Council should not approve who the counsel is or if, in fact, there should be City counsel.

So, rather than just vote on this and let it be cast aside, this could come up again and if there are guidelines we wouldn't have a problem.

The Chair:

I'd like to make this suggestion. I'd like to know what the guidelines are also and perhaps we can call a post agenda with Mr. Pellegrini to go over this whole issue with us about outside legal attorneys concerning other employees.

We, ourselves, as elected officials, we do have our own fund that we can get to defend ourselves here in Council.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 332

Report of the Committee on Public Works for February 19, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 245

A Resolution entitled, "Resolution urging Duquesne Light Company to replace their faulty lighting system in the vicinity of Panther Hollow Bridge and nearby ramps in Schenley Park and stating intention to take serious action if

this safety hazard is not remedied in 30 days." —(SPONSORED BY MICHELLE MADOFF)

Which was read.

Mr. Givens:

On Bill 245, today all of us received an opinion from the Law Department regarding that and I think Danny Pellegrini's letter to the Council depicts what this bill is really all about.

On the other hand, I think the bill along with Danny's legal opinion should go to the Governmental Relations Officer of Duquesne Light Company and that of the Chairman of the Board to so indicate that this Council has, in fact, great concern in what's happening in Panther Hollow.

I think one of the unique problems here is that this is along our park corridors, Panther Hollow. I had another example, the same situation at Duquesne Light several years ago, and that was along the Bigelow Corridor coming into the City of Pittsburgh which is a park-like environment. In fact, I even stopped for many months Duquesne Light putting overhead lighting and to put the lighting up on that particular facility. This is a park area. Traditionally, when Duquesne Light had the contracts and the initial lights were put in in our scenic park areas, they were all put in underground. Now, that system was put in some 50 years ago; it's deteriorating and Duquesne Light must maintain it. They cannot maintain these underground lighting systems any longer.

Between the City of Pittsburgh and the Duquesne Light, I think someone must sit down, and I'm willing to do that, Mr. President, to find out how much Duquesne Light wants to put into this system to keep it underground. I think it

should be. When you have overhead lights it detracts from the park beauty that we're all trying to look for and there's not that many trips back and forth that we make that we don't have that beautiful beauty that when we go through the Highland and the Schenley Parks and the Frick Parks of the City of Pittsburgh, to and from the City of Pittsburgh. It lends a lot, I think.

I don't think, on the other hand, that Duquesne Light should bore all the expense of putting new underground cable in. I think it should be a shared venture between Duquesne Light and the City of Pittsburgh. Duquesne Light has always been a very cooperative corporation that serves the Southwestern Region of Pennsylvania and I think their corporate leaders and their board that have the opportunity of driving through these parks feel the same way this Council feels.

So, as a result, I'd like to pass on this bill and at the same time sit down and have a meeting with Duquesne Light, with the Department of Public Works, with our City Planning, and possibly even the Urban Redevelopment Authority, to find out where we can get mutual funds, maybe even governmental funds, from the federal government and state government, to try to rewire not only this system, this is throughout the whole park system and certain boulevards within the City of Pittsburgh.

This is only the tip of the iceberg, is what I'm trying to say, Mr. President, and I'd like to continue further on this with Michelle's help or anybody else who would like to join in.

Michelle Madoff:

I'd like to have the letter from Mr. Pellegrini entered as part of the record.

**(LETTER FROM THE CITY SOLICITOR
REQUESTED BY MICHELLE MADOFF)**

February 24, 1986

Honorable President and Members
City Council
City of Pittsburgh

RE: Council Bill No. 245 - Lighting at
Panther Hollow Bridge

Dear Mr. President and Members:

You have requested an opinion as to whether or not Council Bill 245 which urges Duquesne Light Company to replace a faulty light system in the vicinity of the Panther Hollow Bridge has the force of law and are there any other legislative remedies to correct the problem?

Initially it should be pointed out that the body of the ordinance does not propose any legislative action but merely declares the strong displeasure on the failure of Duquesne Light to remedy a safety hazard. Insofar as the bill is merely a sense of Council resolution, it would not have any force of law.

With regard to your question as to whether or not there are any legislative remedies available to Council, this area has been pre-empted by the Public Utility Commission of Pennsylvania.

Very truly yours,

D.R. Pellegrini
City Solicitor

DRP:rms

(END OF LETTER)

Michelle Madoff:

He essentially says that this is not

legislation that we can deal with in Council, that it's a matter of PUC.

However, I will tell Mr. John Arthur, who is a dear friend, and others at Duquesne Light that when I'm going through the park at night and it's raining and I go up on the sidewalk and ruin the under part of my car, I will send them the bill. And I will encourage everyone else in that park that might be involved in an accident to know who is to blame and whose responsibility it is.

It is a nightmare. You cannot see the dividing of the road. The two roads are very close together where one goes to the Boulevard of the Allies and one goes back to Squirrel Hill. There are no lights on the bridge, no lights in the park and on a rainy, dark, night it is death and an accident waiting to happen.

Now, while we cannot pass it as legislation in this Council, we can, thanks to Mr. Givens, pursue the matter and I certainly hope that he will do that in his committee, and I would support him in any other way, but I would also like to have a letter go back to the Mayor and to Mr. Pellegrini asking them to pursue it, as Mr. Pellegrini says we must, through the PUC, and that it is the will of Council that we pursue it. I don't think anyone is against having the lighting in that area.

The Chair:

Can we have a motion to recommit Bill 245?

Michelle Madoff:

We can't; we have to table it. You cannot recommit it.

The Chair:

You have to recommit today and

table it on Wednesday.

Can I have a motion?

Michelle Madoff:

So moved.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

Bill No. 212

A Resolution entitled, "Resolution providing for an Agreement or Agreements between the City of Pittsburgh and the Steel Valley Council of Governments for a Hydrolic Study of the West Run Creek and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 213

A Resolution entitled, "Resolution amending Resolution No. 605 effective July 20, 1984, entitled: 'Providing for the letting of a Contract or Contracts for the use of existing Contract for equipment, services, and supplies for the installation of a Lighting and Audio System for City Council Chambers and providing for the payment of the cost thereof to include the purchase and installation of a lighting and audio system for City Council Chamber."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills

pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

Bill No. 333

Report of the Committee on Water for February 19, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 217

A Resolution entitled, "Resolution providing for an Agreement or Agreements for a State-of-the Art Electronic Leak Detection/Location Training Program for the benefit of the Department of Water personnel and providing for the payment thereof at a cost not to exceed \$4,100.00."

Which was read.

Michelle Madoff:

First of all, I'd like all my comments with Mr. Daryl Smith brought

forward as part of the record. I particularly wanted the comments where I asked Mr. Daryl Smith what Mr. John McNamara's qualifications are and he said he didn't know and whether he was an engineer and he didn't know, and why he has not filled the position of engineer that we voted into the budget for the year. Mr. Daryl Smith may be a wonderful administrator but what he knows about running water could be put into a thimble. The question I'd like to know is why did Mr. McNamara get a \$1000 bonus? I just heard about it today.

**(BEGINNING - MICHELLE MADOFF'S
REMARKS ON BILL NO. 217 - 2/19/86)**

Michelle Madoff:

Mr. Smith, I think that the program is excellent. Is it going to help us detect some of the leaks, because as you know, under the Tort Immunity Act, if you don't have leaks that are detectable before our Law Department refuses to pay any claims even if we wipe out foundations. Fortunately, the people in Lincoln Place and Hays are covered because they're not with the municipality, meaning West Penn Water. Which brings me to the next item. We're going to train people. Who are these people we're going to train? The entire staff?

Mr. Smith:

No. The training program will be open for sixty —

Michelle Madoff:

Who are they, please? You can give me a list.

Mr. Smith:

I don't have them right now.

Michelle Madoff:

You don't have to give them today.

Mr. Smith:

They will be selected by two collective bargaining agreements.

Michelle Madoff:

And who would those people — what office would they be in? I don't need their names. What department would they form, a Leak Department?

Mr. Smith:

No, they're going to be assigned to one of our operating sections. It will be Distribution Division and they will report back.

Michelle Madoff:

And who's head of Distribution?

Mr. Smith:

Jim McNamarra.

Michelle Madoff:

Yippeel And he is trained, of course, as an engineer?

Mr. Smith:

I'm not sure what he's trained as.

Michelle Madoff:

And you are the head of the department and you hired him — or maybe you didn't hire him, he was assigned to you — and you don't know if he's an engineer.

Mr. Smith:

I don't know that it's important that he is an engineer.

Michelle Madoff:

Well, I know from years that I've spent in the Water Department, in dealing with the Air Pollution Bureau and dealing with environmental issues that it's important to know whether he has the background and training and is an engineer.

Mr. Smith:

He does a very good job; I can tell you that.

Michelle Madoff:

We disagree, but that's a point of contention. Now we agreed in the budget last year to put in a position for engineer, because one of the biggest problems we have with water is the valve shutoffs and then when we put the valves on and off the water pressure. How that pressure is applied becomes very, very important because that is tied to leaks. I'm on the bill. You get leaks if you put the water through too quickly. If you have an embolus, you put the blood back in the body you blow the embolus from the body. It's the same principle, where we had five hospitals out. Mr. Daryl Smith will argue that I have private sources and if there was ever a federal investigation it would be proven that I am correct.

We put into the budget the assistant to the Administrator. I have no problem — Mr. Smith may find this surprising — with him as an Administrative Director. My problem is he doesn't have a backup person who has the kind of expertise and knowledge in water as an engineer, with the complete

understanding of water pressure and water flow. Have you done anything about hiring that person?

Mr. Smith:

No, ma'am.

Michelle Madoff:

Why not? Why have you not hired somebody? It would help us prevent leaks.

Mr. Smith:

We have not because I don't know what that person is supposed to do.

Michelle Madoff:

Why don't you know what that person is supposed to do?

THE CHAIR COMMENTS

Michelle Madoff:

I want to prevent leaks.

THE CHAIR COMMENTS

Michelle Madoff:

What good is training somebody if there's not somebody there who's going to supervise the program, that understands it. This is \$4,000 of the public's money.

THE CHAIR COMMENTS

Michelle Madoff:

I have tried dealing with Mr. Smith, post agenda, pre-agenda, in the street, leaving messages in his office. The man's impossible.

THE CHAIR COMMENTS

Michelle Madoff:

I would like the same indulgence, Mr. Chairman, that you would give Mr. Woods or other members of this Council if they asked a question as to when he's going to hire an engineer that we put in the budget. That's the only question I want an answer to. May I get that answer or not?

THE CHAIR COMMENTS

Michelle Madoff:

I ask it all the time. I want the public to hear it. I want the public to know what the answer is.

THE CHAIR COMMENTS.

Michelle Madoff:

Thank you.

Mr. Smith:

That particular position was put in the budget by City Council. I did not request that position. I do not know what that person in that position is supposed to do. Before I can even attempt to fill a position I have to have a job description, I have to have duties and responsibilities for that position. At this point in time, I see no need for an engineer or I would have requested one in my budget. When someone clearly defines what that person is supposed to do, provides me with a job description, I'll be willing to consider it at that point in time.

THE CHAIR COMMENT

Michelle Madoff:

Yes. I have been trying to have a post agenda with the right people here. Unfortunately, at that devastating post

agenda I don't think everybody was here where they showed the film of the havoc that was caused in the community, wiping out hundreds of thousands of --

THE CHAIR COMMENTS

Michelle Madoff:

Mr. Roddey had the flu.

THE CHAIR COMMENTS

Michelle Madoff:

I would like to set another post agenda with Mr. Roddey and Mr. McNamara. Did you not request that we have people who are hired submit resumes of qualifications? Wasn't that requested at some point?

MR. DEPASQUALE COMMENTS

Michelle Madoff:

I would hope so too. It would be nice. We'd like to know for Alcosan whether they're qualified.

I reluctantly am going to vote for it because it's so desperately needed. I'm also going to move Heaven and earth to try to have Mr. Daryl Smith removed.

(END OF REMARKS)

Mr. Wagner:

Mr. President, point of order. That's not the legislation in front of us.

Michelle Madoff:

I'm curious. Why did he get a \$1000 bonus?

The Chair:

Mrs. Madoff, you are out of order

with that question.

Michelle Madoff:

Could somebody find out for me? Would you send a letter to Mr. Daryl Smith as to why Mr. McNamara got a \$1000 — Is it true that he got a bonus and what for? I think it was part of the budget —

Mr. DePasquale:

Mr. Chairman, she's discussing a personal matter.

The Chair:

Come on, Michelle. Let's get back to the subject, please.

Michelle Madoff:

Okay, back to the subject. We're voting \$4000 for training on water leaks and we don't have anyone really who knows what they're doing to supervise water pressure, water leaks, and that's why five hospitals were without water at one time. I know this because I had at least a dozen informants call me privately and tell me what was going on.

This couldn't happen in Mexico City. It wouldn't happen in a Third World nation, that six days you have problems with water out in East End and have hospitals without water for three days. We're living in an enlightened era but we are not running an enlightened Water Department.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 334

Report of the Committee on Engineering and Construction for February 19, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 210

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the shop inspection of the fabrication of the structural steel for the Bloomfield Bridge, Phase IV; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 211

A Resolution entitled, "Resolution

providing for a Contract or Contracts, or use of existing Contracts for the Renovation of the Martin Luther King School Playground; providing for reimbursement Agreement or Agreements with the Board of Public Education of the School District of Pittsburgh, and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 337 Communication from Richard S. Caliguiri, Mayor, announcing the appointment of Mr. Richard Givens of 229 South Pacific Avenue, Pittsburgh, PA 15224 to the Public Auditorium Authority for a term to expire December, 1991.

Also,

No. 338 Communication from Richard S. Caliguiri, Mayor, announcing the reappointment of Mr. David M. Matter of 6361 Ebdy Street, Pittsburgh, PA 15217 to the Public Auditorium Authority for a term to expire December, 1990.

Also,

No. 339 Communication from Richard S. Caliguiri, Mayor, announcing the appointment of Ms. Michelle Madoff of 1000 Grandview Avenue, Pittsburgh, PA 15211 to the Equipment Leasing Authority for a term to expire December, 1986.

Also,

No. 340 Communication from Richard S. Caliguiri, Mayor, announcing the appointment of Mr. Mark Pollock of 1349 Beechwood Boulevard, Pittsburgh, PA 15217 to the Public Parking Authority for a term to expire December, 1986.

Mr. Pollock:

I abstain on my own appointment.

Also,

No. 341 Communication from Richard S. Caliguiri, Mayor, announcing the reappointment of Mr. John P. Robin of 220 North Dithridge Street, Pittsburgh, PA 15213 to the Urban Redevelopment Authority for a term to expire December, 1990.

Also,

No. 342 Communication from Richard S. Caliguiri, Mayor, announcing the reappointment of Mr. James Creehan of 3300 Prebble Avenue, Pittsburgh, PA 15233 to the Water and Sewer Authority for a term to expire December, 1990.

Also,

No. 343 Communication from Richard S. Caliguiri, Mayor, announcing the reappointment of Mr. Joseph Preston of 501 Larimer Avenue, Pittsburgh, PA 15206 to the Water and Sewer Authority for a term to expire December, 1990.

Mr. DePasquale moved to receive and file all appointments and reappointments.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 344 Communication from Richard S. Caliguiri, Mayor, requesting reappointment of Gerald Fox of 7124 Apple Avenue, Pittsburgh, PA 15206 as a member of the Board of Adjustment for a term to expire January, 1989.

Which was read, received and filed.

Also,

No. 345 Resolution that the reappointment by the Mayor of Mr. Gerald Fox of 7124 Apple Avenue be and the same is hereby approved and confirmed as a member of the Board of Adjustment.

Which was read.

Also,

No. 346 Communication from Richard S. Caliguiri, Mayor, requesting reappointment of Ms. Jeanne Caliguiri of 2239 Beechwood Boulevard, Pittsburgh, PA 15217 as a member of the Zoological Park Commission for a term to expire October, 1989.

Which was read, received and filed.

Also,

No. 347 Resolution that the reappointment by the Mayor of Ms. Jeanne Caliguiri of 2239 Beechwood Boulevard be and the same is hereby approved and confirmed as a member of the Zoological Park Commission.

Which was read.

Also,

No. 348 Communication from Richard S. Caliguiri, Mayor, requesting reappointment of Wallace Merrell of 511 Clemasha, Pittsburgh, PA 15226 as a member of the Board of Code Review for a term to expire December, 1988.

Which was read, received and filed.

Also,

No. 349 Resolution that the reappointment by the Mayor of Mr. Wallace Merrell of 511 Clemasha be and the same is hereby approved and confirmed as a member of the Board of Code Review.

Which was read.

Also,

No. 350 Communication from Richard S. Caliguiri, Mayor, requesting reappointment of Mr. Maxwell Mayo of 586 Moorehead Place, Pittsburgh, PA 15232 as a member of the Board of Code Review for a term to expire December, 1988.

Which was read, received and filed.

Also,

No. 351 Resolution that the reappointment by the Mayor of Mr. Maxwell Mayo of 586 Moorehead Place

be and the same is hereby approved and confirmed as a member of the Board of Code Review.

Which was read.

Also,

No. 352 Communication from Richard S. Caliguiri, Mayor, requesting reappointment of Mr. Aubrey Caplan of 5401 Hobart Street, Pittsburgh, PA 15217 as a member of the Board of Code Review for a term to expire December, 1988.

Which was read, received and filed.

Also,

No. 353 Resolution that the reappointment by the Mayor of Mr. Aubrey Caplan of 5401 Hobart Street be and the same is hereby approved and confirmed as a member of the Board of Code Review.

Which was read.

Also,

No. 354 Communication from Richard S. Caliguiri, Mayor, requesting reappointment of Matthew Begis of 129 South 16th Street, Pittsburgh, PA 15203 as a member of the Board of Code Review for a term to expire December, 1988.

Which was read, received and filed.

Also,

No. 355 Resolution that the reappointment by the Mayor of Mr. Matthew Begis of 129 South 16th Street be and the same is hereby approved and confirmed as a member of the Board of Code Review.

Which was read.

Also,

No. 356 Communication from Richard S. Caliguiri, Mayor, requesting reappointment of Edward Claitman of 524 Penn Avenue, Pittsburgh, PA 15222 as a member of the Board of Code Review for a term to expire December, 1988.

Which was read, received and filed.

Also,

No. 357 Resolution that the appointment by the Mayor of Mr. Edward Claitman of 524 Penn Avenue be and the same is hereby approved and confirmed as a member of the Board of Code Review.

Which was read.

Also,

No. 358 Communication from Richard S. Caliguiri, Mayor, requesting reappointment of Bernard Liff of 317 South Dallas Avenue, Pittsburgh, PA 15208 as a member of the Board of Standards and Appeals for a term to expire December, 1990.

Which was read, received and filed.

Also,

No. 359 Resolution that the reappointment by the Mayor of Mr. Bernard Liff of 317 South Dallas Avenue be and the same is hereby approved and confirmed as a member of the Board of Standard and Appeals.

Which was read.

Also,

No. 360 Communication from Richard S. Caliguiri, Mayor, requesting reappointment of Ms. Joan Davis Ivey, 1368 N. Sheridan Avenue, Pittsburgh, PA 15206 to the Historic Review Commission for a term to expire December, 1988.

Which was read, received and filed.

Also,

No. 361 Resolution that the reappointment by the Mayor of Ms. Joan Davis Ivey of 1368 N. Sheridan Avenue be and the same is hereby approved and confirmed as a member of the Historic Review Commission.

Which was read.

Also,

No. 362 Communication from Richard S. Caliguiri, Mayor, requesting the reappointment of Ms. Ana Maria Guzman of 114 Doray Drive, Pittsburgh, PA 15237 to the Board of Standards and Appeals for a term to expire December, 1990.

Which was read, received and filed.

Also,

No. 363 Resolution that the reappointment by the Mayor of Ms. Ana Maria Guzman of 114 Doray Drive be and the same is hereby approved and confirmed as a member of the Board of Standards and Appeals.

Which was read.

Also,

No. 364 Communication from Richard S. Caliguiri, Mayor, requesting reappointment of Mr. Bernard Liff of 317 South Dallas Avenue, Pittsburgh, PA

15208 as a member of the Board of Code Review for a term to expire December, 1988.

Which was read, received and filed.

Also,

No. 365 Resolution that the reappointment by the Mayor of Mr. Bernard Liff of 317 South Dallas Avenue be and the same is hereby approved and confirmed as a member of the Board of Code Review.

Which was read.

Also,

No. 366 Communication from Richard S. Caliguiri, Mayor, requesting reappointment of Donald Turner of 2627 Brackenridge Street, Pittsburgh, PA 15219 by the Mayor as a Member of the City Court, for a term to expire December, 1989.

Which was read, received and filed.

Also,

No. 367 Resolution that the reappointment by the Mayor of Donald Turner of 2627 Brackenridge Street be and the same is hereby approved and confirmed as a member of City Court.

Which was read.

Also,

No. 368 Communication from Mayor Richard S. Caliguiri requesting that the reappointment of Ms. Patricia Fischer of 4230 Coleridge Street be approved and confirmed as a member of the Personnel Appeals Board for a term to expire December, 1988.

Which was read, received and filed.

Also,

No. 369 Resolution that the reappointment by the Mayor of Ms. Patricia Fischer of 4230 Coleridge be and the same is hereby approved and confirmed as a member of the Personnel Appeals Board.

Which was read.

Also,

No. 370 Communication from Mayor Richard S. Caliguiri requesting that the reappointment of Mr. David Miller of 515 Grandview Avenue be approved and confirmed as a member of the Historic Review Commission for a term to expire December, 1988.

Which was read, received and filed.

Also,

No. 371 Resolution that the reappointment by the Mayor of Mr. David Miller of 515 Grandview Avenue be and the same is hereby approved and confirmed as a member of the Historic Review Commission.

Which was read.

Also,

No. 372 Communication from Richard S. Caliguiri, Mayor, requesting that the reappointment of Mr. Ralph Alster of 4716 Ellsworth Avenue be approved and confirmed as a Member of the Historic Review Commission for a term to expire in December, 1988.

Which was read, received and filed.

Also,

No. 373 Resolution that the reappointment by the Mayor of Mr.

Ralph Alster of 4716 Ellsworth Avenue be and the same is hereby approved and confirmed as a member of the Historic Review Commission.

Which was read.

The Chair:

I'd like to know, since these are all reappointments, if we can get a motion to approve at this time.

Mr. DePasquale:

So moved.

Mr. Givens seconded the motion.

Which motion prevailed.

Mr. Givens moved to approve the Minutes of Monday, February 10, 1986.

Mr. DePasquale seconded the motion.

Which motion prevailed.

And on the motion of **Mr. DePasquale**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Monday, March 3, 1986

No. 9

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, March 3, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. DePasquale presented

No. 374 Resolution providing for the issuance of a warrant in favor of Automatic Sprinkler Corporation in the amount of \$2,995.00 in payment of the

design and installation of a sprinkler system and fire door for the Eazor Garage Paint Shop, payable from Code Account EC 85-66.

Also,

No. 375 Resolution providing for the issuance of a warrant in favor of W. G. Tomko and Son, Inc., (William G. Tomko, Jr., President) in the amount of \$580.00 in payment of Extra Work, being in addition to the original contract price of \$94,430.00 on Controller's Contract No. 27722, furnished for the benefit of the City in connection with the Building Plumbing Contract at the Pittsburgh Zoo - Phase 4.1: Plaza, payable from Code Account PR 81-02. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on Finance.

Also,

No. 376 Resolution amending Res. No. 1283 of 1985, entitled: "Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program," by creating a new line item, and adjusting the Summary Totals.

Also,

No. 377 Resolution amending Res. No. 158, effective February 28, 1985, entitled: "Providing for a Contract or Contracts, or use of existing Contracts,

for the Rehabilitation of the Public Safety Building Cooling Tower; and providing for the payment of the costs thereof," by increasing the total project allocation from 62,000.00 to \$107,000.00, chargeable to and payable from Code Account EC 85-58 - \$62,000.00 and Code Account EC 86-78 - \$45,000.00.

Also,

No. 378 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Replacement of Six (6) Overhead Doors at No. 5 Fire Station (Herron Hill) at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account EC 86-67.

Also,

No. 379 Resolution providing for a Cooperation Agreement or Agreements with Carnegie Library of Pittsburgh in connection with the design and construction of the new Dr. Martin Luther King, Jr., Reading Center and Monument at a cost not to exceed \$43,500.00, chargeable to and payable from Code Account EC 86-75.

Also,

No. 380 Resolution providing for the grant of an easement to Columbia Gas of PA Inc., for the relocation of a pipeline and appurtenant equipment over and through certain City owned property in the 18th Ward.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 381 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Matthew Walsh to attend the Federal

Highway Administration Training Course in Baltimore, Maryland from February 24-28, 1986, at a cost not to exceed \$750.00, payable from Code Account No. 1502. Prior approval granted.

Which was read and referred to the Committee on Public Works.

Also,

No. 382 Resolution providing for an Agreement or Agreements with the Garfield YMCA for professional services in connection with the Garfield Baseball Association Little League Program at a cost not to exceed \$4,000.00, chargeable to and payable from Code Account No. 1838, Miscellaneous Services, Department of Parks and Recreation.
—(SPONSORED BY MR. GIVENS)

Which was read and referred to the Committee on Parks and Recreation.

Mrs. Masloff presented

No. 383 Resolution authorizing the issuance of a warrant in favor of Pittsburgh Associates (Principles: Mr. Martin Stamler, Mr. Michael Appell) in the amount of \$336.48 in payment of gas service for the Department of Parks and Recreation Oakland Senior Citizens Center, 362 McKee Place, Pittsburgh, PA 15213, furnished for the benefit of the City, chargeable to and payable from the Senior Citizens Program Trust Fund, Department of Parks and Recreation.

Also,

No. 384 Resolution providing for the issuance of a warrant in favor of Air-O-Lator Corporation for an Ice-Away Airolator in the amount of \$353.51 for the Pittsburgh Zoo, chargeable to and payable from Code Account 1852, Miscellaneous Services, Department of Parks and Recreation.

Which were read and referred to the Committee on Finance.

Also,

No. 385 Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to enter into Agreements in individual amounts less than \$5,000.00 with various performers, instructors, artists and other persons with specialized skills in connection with the Department's various recreational and instructional programs.

Also,

No. 386 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting interim approval to purchase animals at various times during the year as they become available at a cost not to exceed \$10,000.00, payable from the Pittsburgh Zoo Membership Trust Fund.

Also,

No. 387 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Cheryl Herrman to attend the Professional Secretary Workshop at the Sheraton, Station Square, on February 19, 1986, at a cost not to exceed \$165.00, payable from Code Account No. 1801. Prior approval granted.

Also,

No. 388 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Susan Davis to attend the 1986 Therapeutic Recreation Management School at Wheeling, West Virginia from March 16-21, 1986, at a cost not to exceed \$622.00, payable from

Code Account 1844.

Also,

No. 389 Communication from Louise Brown, Director, requesting permission for Carl Mancuso, Alexis Merritt, Ross Rotunda, Sandra Rutkowski, Craig Merritt and Donna Rengers to attend the 1986 State Conference of the Pennsylvania Recreation and Park Society at Hershey, Pennsylvania from April 4-7, 1986, at a cost not to exceed \$1,750.00, payable from Code Account 1838. Use of a City vehicle is also requested.

Also,

No. 390 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Charles Wikenhauser to attend the AAZPA Mid-Year Accreditation Meeting in Baton Rouge, Louisiana from March 16-19, 1986, at a cost not to exceed \$643.00, payable from Code Account 1852.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 391 Resolution authorizing the issuance of a warrant in favor of Nationwide Advertising Service, Inc. in the amount of \$20,364.54 in payment of various advertisements placed in professional journals, newspapers and periodicals for the benefit of the City, chargeable to and payable from Code Account 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 392 Resolution authorizing and

directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$3,246.61 to the Commonwealth of Pennsylvania representing the final payment required for unclaimed funds for the year 1977 pursuant to the provisions of the Depositing of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

Also,

No. 393 Resolution and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$1,551.74 to the Commonwealth of Pennsylvania representing initial payment required for unclaimed funds for the year 1978 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

Also,

No. 394 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Dave Farley to attend the meeting of the Pennsylvania Service Delivery Area Association in Harrisburg, PA on March 5, 1986, at a cost not to exceed \$350.00, payable from the JTPA-1 Trust Fund. Prior approval granted.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 395 Resolution providing for an Agreement or Agreements with a Consultant or Consultants to conduct an Aerial Tramway Feasibility Study at a cost not to exceed \$50,000.00, chargeable to and payable from the 1980 Community Development Block Grant

Program, Department of City Planning (CP 80-14), "Aerial Tramway Feasibility Study".

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 396 Resolution authorizing the Mayor and the Director of the Department of City Planning to enter into Agreements with Greater Pittsburgh Visitors and Convention Bureau of utilize funds for construction of a new building (\$25,000.00); Hill District Project Area Committee to assist in neighborhood revitalization activities (\$25,000.00); Mom's House to assist in rehabilitation of building (\$11,000.00); and Bedford Dwellings Residence Council to assist in food distribution to unemployed persons (\$7,500.00), at a total amount not to exceed \$68,500.00, chargeable to and payable from Code Account No. 1103, Miscellaneous Services.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 397 Communication from John Norton, Director, Department of Public Safety, requesting permission for Ronald Graziano to attend a seminar on How to Conduct Plans Review and Inspection of

Automatic Sprinkler Systems in West Palm Beach, Florida from April 13-15, 1986, at a cost not to exceed \$900.00, payable from Code Account 1476.

Which was read and referred to the Committee on Public Safety.

The Chair presented

No. 398 Communication from Tom Flaherty, City Controller, submitting a performance audit of the Department of Public Work's Permit and Inspection Process.

Which was read and referred to the Committee on Public Works.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 399

Report of the Committee on Finance for February 26, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 235

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Dick Corporation (John R. Kudrna, Sr. Vice President) in the amount of \$18,250.00 in payment of an Emergency Contract for the Repair of a Pin Connection on the Fort Pitt Boulevard - Eastbound, Span No. 16; and providing for the payment thereof."

Which was read.

Also,

Bill No. 241

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of J-Jac Construction Corporation in the amount of Three Thousand (\$3,000.00) in payment for Extra Work for the benefit of the City in connection with the rehabilitation of Concrete Street Pavements, Sidewalks and related facilities, various locations within the City of Pittsburgh without previous authority of law; and providing for payment thereof."

Which was read.

Also,

Bill No. 246

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Scott Electric in the amount of \$787.14 in payment for various electrical items furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 247

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Lewis Brothers and Sons, Inc., in the amount of \$6,299.30 in payment for the purchase of serving trays for the Department of Parks and Recreation Senior Centers furnished for the benefit of the City, without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 248

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Herbert K. Barnett Photography in the amount of \$380.00 in payment for 200 posters of Phipps Conservatory (overrun), furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 249

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Vics Boat Park in the amount of five hundred (\$500.00) dollars in payment for the salvaging and storage of one (1) Boat Dock during the floods in November of 1985 furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 250

A Resolution entitled, "Resolution transferring the amount of \$1,000.00 from Code Account 1838 (183806), Miscellaneous Services to Code Account RODTF (253971) Recreation Organization and Development Trust Fund in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 251

A Resolution entitled, "Resolution transferring the amount of \$25,000.00 from Code Account 41 (004101), Refunds Real Estate Tax in the Department of Finance to Code Account RODTF, Recreation Organization and Development Trust Fund (253971), in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 266

A Resolution entitled, "Resolution carrying over balances or portions thereof remaining in certain code accounts for the year 1985 to the same or to other code accounts for the year 1986." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 268

A Resolution entitled, "Resolution further amending Resolution No. 285, approved March 31, 1982 and effective April 5, 1982 and previously amended by Resolution No. 160, approved February 28, 1983 and effective March 7, 1983, as further amended by Resolution No. 241, approved April 4, 1984 and effective April 10, 1984, as further amended by Resolution No. 314, approved April 2, 1985, and effective April 10, 1985 to provide funding to the Clean Community Systems Program in the amount of \$75,000.00."

Which was read.

Also,

Bill No. 269

A Resolution entitled, "Resolution amending Resolution No. 165, approved February 18, 1985, effective February 28, 1985, which authorized the conveyance of certain property located on Fountain Street near Lewis, O'Hara Township, designated as Block 292-G, Lots 60-64, to Daniel J. McGreevy, for the sum of \$18,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner

Mrs. Masloff

Mr. Woods
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 276

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Eastman Kodak Company, 99 Brown Street C11, Rochester, NY 14651 in the amount of \$278,70 in payment for repairs to Microfilm Equipment furnished for the benefit of the City without previous authority of law and providing for payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 304

A Resolution entitled, "Resolution transferring \$15,000.00 from Code Account 41, Index Code 004101, Refunds-Real Estate Tax, Department of Finance, to the Employee's Travel Expense Advance Trust Fund, Index Code 240002, Department of Finance."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 400

Report of the Committee on Public Works for February 26, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 242

A Resolution entitled, "Resolution amending Resolution No. 1210, approved December 27, 1983, effective January 1, 1984, entitled: 'Adopting the 1984 Capital Budget and the 1984 Community Development Block Grant Program, and approving the 1984 through 1989 Capital Improvement Program,' by transferring a code account from the Department of Public Works to the Department of Engineering and Construction."

Which was read.

Also,

Bill No. 243

A Resolution entitled, "Resolution granting unto Paper Packaging Inc., their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a fence and loading area on a portion of the right-of-way of Martindale Street in the 22nd Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 401

Report of the Committee on Planning, Housing and Development for February 26, 1986 transmitting sundry resolutions and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 271

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 167, as amended by Resolution No. 394 and 692 of 1983, and by Resolution No. 940 of 1984, and by Resolution No. 634 of 1985 and by Resolution No. 103 of 1986, entitled: 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1983 Community Development Block Grant Program', so as to adjust several line items." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Pollock:

On Bill 271, on page 2, there's a typographical error which I would like to point out. Under Department of Public Works where it has the existing amount, instead of being \$1,000.00 it should be \$1,000,000.00.

So, I make a motion to amend it as I read it.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

Bill No. 272

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Clean City Committee, Inc., a non-profit corporation, for the purpose of administering the lot maintenance and Greenway implementation activities of the Property Management and Maintenance Program."

Which was read.

Also,

Bill No. 273

A Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the Small and Minority Contractor Assistance Program; and providing for the payment thereof."

Which was read.

Also,

Bill No. 55

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 6, by changing: From "M3" Light Industrial District to "R2-T" Townhouse Residence District certain property located on the southerly side of TROY HILL ROAD near PROVINCE STREET, 23rd and 24th Wards."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 402

Report of the Committee on General Services for February 26, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 253

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing and delivery of various park maintenance equipment for the Department of Parks and Recreation, and for payment thereof."

Which was read.

Also,

Bill No. 254

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts for the furnishing and installing a misting system at Phipps Conservatory payable from Code Account PCTF, Phipps Conservatory Trust Fund, Index Code 253153, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 255

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing and delivery of twenty (20) Lawnmowers and fifteen (15) two/four wheel tractors for the Department of Parks and Recreation, payable from Code Account 1808, Index Code 180802, Equipment, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 267

A Resolution entitled, "Resolution providing for a Contract or Contracts of use of existing Contracts for the furnishing, delivery and installation of one new folder/insert machine and new folder/insert tables for the Department of Finance; and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

There was a bill on the Safety Building to spend some money to remodel it. Has that gone through already?

Mr. Perry:

Next week.

Michelle Madoff:

It's being held, right? I just wanted to be sure.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 403

Report of the Committee on Parks and Recreation for February 26, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 252

A Resolution entitled, "Resolution providing for an Agreement with JGS Associates, for professional services in connection with the Employee Performance Program in the Department of Parks and Recreation's Bureau of Recreational Services."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 404

Report of the Committee on Public Safety for February 26, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 277

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase of office furniture for the Offices of Research and Evaluation, Department of Public Safety and providing for the payment thereof."

Which was read.

Michelle Madoff:

Mr. Wagner, on Public Safety, on Bill 277, the purchase of office equipment. Will that be portable or moveable or stationary dividers? So that if we decide to rent somewhere and do something else with the Public Safety Building, will they be able to take the stuff and move it over?

Mr. Wagner:

All of that equipment is moveable and will not be a permanent part of the Public Safety Building.

Michelle Madoff:

Okay, I don't want to run into the same thing at the Water Department where we're going to design it specially, ha ha, for the Water Department with built-in modular and then you can't move the modular. This is absolutely, you're telling me it's modular, or whatever; it can be moved?

Mr. Wagner:

Yes.

Michelle Madoff:

What about using some of the

furniture that is located around the City in other offices? I have some very good chairs in my office; they're like new.

Mr. Wagner:

Well, the Narcotics Section needs some --

Michelle Madoff:

Excuse me. They're going to Sophie and Pollock.

Mr. Wagner:

If I may, the Narcotics Section has been attempting to get some new furniture now for quite some time and really, what they're working with just isn't sufficient and they have intentions of getting certain types of furniture and that isn't available in terms of used furniture. So, I suggest that we go out and purchase new.

Michelle Madoff:

Why don't we but repossessed? It doesn't have to be new.

Mr. Wagner:

Well, the Public Safety Department has been getting repossessed equipment for years and I think it's about time we but them something new and something of quality.

Michelle Madoff:

When you get a brand new corporation that opens in one week and closes two months later, and I know of one, they have very elegant furniture and it's very expensive furniture, you do better buying it ten cents on the dollar and you get better quality than we're going to buy new.

I think that applies to our office as well and I'd like to expand that. One of the things that we don't do when we buy furniture — Sometimes you use more efficient furniture if the space is designed well. Probably the best designed Council space is that of the former Councilman, Mr. Robinson, I don't know who's in that office now, but you come in, there's a reception room, there is a place to put the file cabinets, and you have a place for your secretarial-type person to be there. Then you have the other space divided into a place for your administrative research person and a place for the Councilmember.

I have my room because it was pre-existing; two cubby-holes, one for the computer and secretary, one for my administrative assistant who has no room, and I have this huge room that I don't need.

So, I just don't want to have inefficient space and inefficient furniture again because, you know, when we come back and say rearrange the rooms, everybody screams that we're spending money. I don't need furniture; I just need my space rearranged.

The Chair:

Thank you.

Michelle Madoff:

I want to amend the bill to include used.

The Chair:

Michelle.

Michelle Madoff:

Excuse me, Mr. Chairman —

The Chair:

Let me do something here.

Michelle Madoff:

I think it's already in the law. I'm sorry; I'm wrong. I think it says when they go out on bid —

The Chair:

He has the authority to buy new or used.

Michelle Madoff:

Right. Okay.

Point of order. Would it be in order, Mr. President, to have a letter go to Mr. Jacoby reminding him of the fact that we do have the right to go out on repossessed.

The Chair:

Are you putting that in the form of a motion?

Michelle Madoff:

No, I'm just asking Mike to send a letter to remind him.

The Chair:

Okay, if you wish a letter to go out then you do it. Ask Mike to direct it from yourself, from Ms. Madoff.

Michelle Madoff:

Just reminding him that that is the rule of Council.

Also,

Bill No. 278

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing, inside delivery and installation of a new filing system for the Narcotics Section of the Bureau of Police and providing for the payment thereof."

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. DePasquale presented

Bill No. 405

Report of the Committee on Engineering and Construction for February 26, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 236

A Resolution entitled, "Resolution Repealing Resolution No. 285, effective March 29, 1985, entitled: 'Providing for a Contract or Contracts, or use of existing Contracts, for the design and installation of a sprinkler system and fire door for the Eazor Garage Paint Shop; and providing for the payment of the costs thereof.'"

Which was read.

Also,

Bill No. 238

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for the 1986 Spring Street Tree Planting Program at various locations within the City of Pittsburgh; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 289

A Resolution entitled, "Resolution amending Resolution No. 284, effective March 29, 1985, entitled: 'Providing for a Contract or Contracts for the Reconstruction of Penn Avenue from Beatty Square to Penn Circle East/South, including Street Lighting, Traffic Signalization, Intersection Improvements, work on private property, and other work incidental thereof, and providing for the payment thereof,' by increasing the total project allocation by \$1,286,624.47."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Prest)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Pollock:

I'd like to call upon Chris Niebrzydowski the Vice President of the Pennsylvania State National Organization For Women.

Mr. Givens:

Mr. President, I have a point of order before the proclamation is read and I would push that the young lady would not proceed any further until this discussion and my point of order is so indicated.

The Chair:

What is your point.

Mr. Givens:

According to our own Council's

rules, and I refer to Page Three, Rule 2-D. "No bill shall be introduced in Council unless deposited with the Clerk of Council 48 hours prior to the time of the regular meeting of Council but by any member may present any bill or paper notwithstanding such rule with the consent of the majority of the members present at any meeting of Council"

I challenge this particular bill that's coming in here. I did not receive it until I walked in here today. I talke to the Chief Clerk; he received it sometime apparently this morning so we are in violation of our own Councilmatic rules and do not give certain people here that dislike this particular bill the opportunity to properly debate that particular issue.

For that reason, I ask that this bill not be read and not be introduced because it is in violation and if that rule is to be challenged, which it can be challenged, then so put that to a vote. I'm asking for a vote. If the author of the bill wants to proceed with it then I'll ask for a vote in this Council to deny that particular bill to be introduced at this time and I would ask for a second on that motion.

Mr. DePasquale seconded the motion.

Mr. Pollock:

What was the motion?

The Chair:

Not to permit the bill to be introduced.

Mr. Pollock:

Well, I think that's not the way he made his motion. He raised the rule so I'm making the motion to suspend the rule. That's the proper motion. I think his motion is out of order.

The Chair:

In other words, you want to make the motion to suspend the rule, Mr. Pollock.

Michelle Madoff seconded the motion.

Mr. Givens:

There is a motion on the floor to deny right now.

The Chair:

You have your right, it's denied. Without even a motion, it's denied. Now, Mr. Pollock is making the motion to suspend the rules and it was seconded by Ms. Madoff.

Mr. Pollock:

There's no doubt about Mr. Givens' being accurate. There was a time problem and we weren't able to get it prepared on Friday, but my motion to suspend the rules is based purely on the fact that if it's not presented now it will be presented next Monday and the party is here so, out of convenience and courtesy to a citizen, I would ask that the rule be suspended to save us the problem of having to reintroduce it next Monday.

Mr. DePasquale:

Mr. Chairman, I seconded the motion for the purpose of discussion. It seems to me that all of the resolutions that come in here come in in the same form. I'm curious as to why this one is out of order and not all of the resolutions we've received in the past. The only notice that I ever get on a resolution is the afternoon of Monday when we vote.

The Chair:

Mr. Perry is right; no one has really made an issue out of it. Sometimes there is an issue made out of it; other times, a majority of the times, no one ever, on a resolution of this type, a read and adopted, no one usually makes an issue. But there have been times that it has been done.

Michelle Madoff:

What do we do now, Mr. Chairman?

The Chair:

We're going to vote to suspend the rule.

Michelle Madoff:

We're voting strictly on the issue of suspending the rule, not on the bill.

May I address that? I think that whether you're for the bill or against the bill, common courtesy would dictate that, as Mr. Pollock has said, the bill would only be introduced again next week. Frequently, we don't get bills, most of us don't get to see these resolutions until the Monday that we're here and it's been the ruling of the President of Council that if something has been done a certain way for a very long time, precedent has been set; therefore, we should not discriminate against one member of Council and a bill because somebody doesn't like a bill. When we get to voting on the bill itself, then the person can express their wishes.

I would urge my colleagues not to single out something they're opposed to and not hold it today but we'll talk about that when we get to the substance of the bill.

The Chair:

I would just like to make one statement. Maybe Mr. Givens is opposed to this resolution but, like I said, it's been brought up on this floor many, many times before by even yourself that you didn't receive it 48 hours prior. I can look at almost everyone to bring up that issue, including myself. Maybe Mr. Givens is against this bill but it has been brought up before.

Mr. Givens:

Well, it's our rule and you're right, Mr. President, until one within this body wants to challenge anyone that introduces anything, then we have that prerogative and that right. I think this particular that will possibly be introduced is so offensive to many people in the City of Pittsburgh and for that reason I don't even want to discuss even to introduce that particular bill into this Council. For that reason, and that reason only, if it's introduced properly the fine, we must debate that particular subject. But I would like to cut off debate and I think all of us have read the bill by now and know what the contents are. If you want to go forward on the debate of this particular bill right now, then introduce it into this Council and I'll debate it, I'll debate it here all afternoon, believe me. But I think a lot of us have great feelings on this and let's put our feelings forward right now. Let's not put it up for that type of scrutiny for this type of action to happen in this country.

The Chair:

No matter what my own personal beliefs and no matter how I'm going to vote on this bill, I would like to ask my colleagues to vote in favor of having it be presented, this resolution today, and then we can vote it up or down.

If you recall, we discussed this just a month ago about this 48 hours system. We just did this last week; resolutions came in and we let them come in the same day. From this point on, if you vote and let this one come in, at least to vote on it, it will never happen again, Mr. Perry. And that's all my colleagues.

Michelle Madoff:

We have a problem with that sir. A floor motion can be made according to rules from the floor without 24 hours notice. A floor motion.

The Chair:

Ms. Madoff, this is not a floor motion; this is a resolution.

Michelle Madoff:

I understand that; I'm just saying that a floor motion can be made that day.

The Chair:

Any floor motion is now put in writing.

Michelle Madoff:

Thank you.

The Chair:

All in favor of letting this resolution be introduced, let Mr. Pollock introduce this resolution today, please signify by saying aye. Opposed.

Mr. Pollock:

Roll call vote, please.

The Chair:

Is there any further discussion on

the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 6 NOES 3

(MR. GIVENS, MR. GRABOWSKI AND MR. O'MALLEY VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Pollock:

Ms. Niebrzydowski, sorry for the inconvenience.

Mr. Pollock presents

No. 406 WHEREAS, on Sunday, March 9, 1986, women and supporters of women's rights from throughout the nation, including the City of Pittsburgh, will travel to Washington, D.C. to participate in the "March for Women's Lives"; and

WHEREAS, the central purpose of this event is to recognize that a woman's right to reproductive choice is constitutionally guaranteed by the Supreme Court's decision in *Roe v. Wade*, and, furthermore, that this right is fundamental for the physical and economic well-being of American women and their families; and

WHEREAS, this event initiates a

weeklong, nationwide observance in honor of International Women's Day;

NOW THEREFORE,

BE IT RESOLVED that the Council of the City of Pittsburgh hereby recognizes March 9 through March 16, 1986, as "March for Women's Lives" Week in the City of Pittsburgh, to show its support for women and its concern for the health, safety, and well-being of women.

Mr. Pollock moved to adopt the resolution.

Michelle Madoff seconded the motion.

Mr. Givens:

I think the most serious thing in this resolution is not just women's rights because that covers a broad area, many of which I agree to many women's rights. But when we put in there what this is going to really, what the gut issue here, and that is the abortion issue itself and *Roe v. Wade*, and when I look back when that particular bill was passed in January, 1973, when I see the horrendous cost of human life and human suffering, and just not only to the aborted fetus but to those women who have subjected themselves through that abortion procedure, and the fact that some 20 million children have been aborted in this country.

There was a picture last night on television talking about Cambodia and the awful horrors of war and many of us in this room here have been in the war-time zone, and I have a little postcard in my office and on it I have little crosses. It's very unique when I look at all the wars that we have had in this particular country that we have been involved into, it has a very small significant, small little cross for every million men and

women who have been lost fighting for the democracy that we have in this particular country. Then I look at the unborn children just since this awful Supreme Court decision has been put before the people of this country and I see almost 20 million children that were denied the opportunity to live a full life. That weighs very very heavily upon this Councilman. I put a rose on my lapel to let people know where I'm coming from because the rose signifies life.

Being a combatant for most of my life and being a soldier, when this bill was first trying to be introduced, I heard the fire engines passing by the Council Chambers here on the outside of Grant Street, and if those firemen are going to risk their life for another human being, and the medal of honors and the highest award that can ever be given in this country is generally given to that person who risked their life for their fellow human being.

We have a great fight upon our hands to change that Supreme Court decision and for that reason, I cannot vote for this resolution, Bill No. 151, because it strikes horrors and I read the accounts of what happens in the various operating rooms. It's unique to know that there's about 300,000 medical doctors in this particular country of ours and there's only around 9,000 medical doctors who subject themselves to this type of an operation. It gives a little bit of even credence to what's happening within the medical profession. It was almost a prayerful note when some of the hospitals within the Allegheny County area, for the first time, are putting in to their insurances that abortions are not covered under the general Blue Shield and Blue Cross because to those people who have to live and work in those hospitals, they cannot tolerate any longer what is happening

among those hospitals.

To me, and I've always been schooled in this particular area, that to lay your life down for another human being is the greatest sacrifice, the greatest sacrifice, any other human being can make for one another and these children in the womb of a woman, is in fact life, and to abort that life is in fact killing. And for any of us in this room that will pass on this resolution is saying to the people that we are elected by in the City of Pittsburgh, to say, in fact, that we are for killing. And you can't call it any other way. If you do, you're not facing the issue straight out. I'd rather have a person vote against it or for it straight out and not abstain his vote but call it for what it is; it's the killing of a human life.

I don't think there's a greater battle on this earth that we're having today than that particular issue. It's the most damaging thing that will ever happen. I think all of us are probably God-fearing in this room and I think if the wrath of World War III will ever come upon us, it will be because of what is happening and what this bill stands for.

For that reason, I ask the good Lord to give all of you people the wisdom and the strength to stand up to what we're going to vote on here because never has a vote ever come before this Council with such significance and indication of where our society as a body and as a whole. As the elected people of the City of Pittsburgh, as the grass roots organization of all of our communities, I ask all of you, please, vote this thing down, once and for all, and set the tone here in the City of Pittsburgh.

Thank you, Mr. President.

Michelle Madoff:

I would like to point out that I have a daughter that is now 25 years old. I am a member of NOW; I am a proud member of NOW. I am one of the founders of the Squirrel Hill NOW, and I speak as a founder. The position of NOW is not a proponent of abortion; that is a misconception. The position of NOW is the right to choose and there are Nuns of the Catholic Church who have taken a position of the right to choose.

If you want to talk about the Cambodian babies and the death of people who are dying of malnutrition, I would like to see people who are opposing the abortion adopting some of these children.

What we need is education. What we need is support systems. What we need is jobs, so we don't see the rites of passage among black, particularly minority, young women, at the age of 14 and 15 being accepted in their community because they've had an illegitimate child. We're having children having children and if you want to talk about a serious problem in this country, it's children having children.

I want to close on a note, and it is not a funny note but it is funny. I happened to go to a lecture not too long ago where there was about 1200 women in attendance. The guest speaker was Sally Jesse Raphael and she swears that there is now technical data substantiating the fact that men can carry babies to full term. They implant some kind of a sac, the man nurtures the baby and the baby can be brought to term. I thought she was joking but this is absolutely medical, documented fact. You can call Sally Jesse Raphael; I have her number, or her husband's number.

Now, when the men start carrying

babies, and I notice our President, Mr. Woods, is hysterical, but when Mr. Woods is walking around, I'm making a supposition funny, perhaps Mr. DePasquale can help me out because I forget the name of the Legislator in Harrisburg who took the lead against abortions and he said, "I didn't know that when my girlfriend asked me for money for an abortion, I thought she needed the money to go see her sick mother, and if I'm wrong, may God strike me dead." And God did; in two weeks he was dead. And that is a true story about one of our State Legislators, I've just forgotten the name, a reporter told me the name last week.

When men have their girlfriend's baby implanted in them and they have to walk around with them and support them, then they will have the right to make the decision because we are not, I repeat, not supporting abortion. We are saying, people have the right to choose.

Mr. Pollock:

I'm sorry that my colleagues are turning this resolution into a confrontational debate on the issue of abortion. If you read the language, this is a City Council resolution supporting women. It is a City Council resolution which is coordinated with the nationwide, week-long observance of International Women's Day and all it does is say that it recognizes what the law of the land is. We are a nation of laws, I would hope we are a City Council of laws. And the law of the land is Roe v. Wade. It doesn't say it supports it, it doesn't say it advocates it, it doesn't say it wants it affirmed; it says it recognizes it. That's the only mention of the question.

I would hope that the City Council and my colleagues would take that language which says that the City

Council of the City of Pittsburgh shows its support for women and its concern for the health, safety and well-being of women and would pass this resolution unanimously.

Mrs. Masloff:

I take a stand that this resolution says that we're supporting March for Women's Lives Week. That's all. That's all we're supporting. We support everything else, every other march and every other civic organization in the City. That's my stand.

Mr. Wagner:

In reading the resolution, it does say "March for Women's Lives" and I would support this resolution if it didn't include the second paragraph, Roe v. Wade. I know I proposed a resolution several weeks ago that basically talked about respect for life and I support all of the principles that women have been supporting except the one pertaining to abortion. It's a conflict when you think of a nation, even though a Supreme Court made a decision back 10 or so years ago, that we have a law in this land where we fine someone \$1000 if the egg of an eagle has been killed. And basically, that same principle doesn't apply to human beings. So, for that reason, I can't support it.

Mr. Givens:

I'd just like to make one last and final comment. The central purpose of this event is to recognize that the woman's right to the reproductive choice, that doesn't say abortion, it says reproductive choice, is constitutionally granted by the Supreme Court decision of Roe v. Wade. That was the exact point that I was bringing out. That was the Supreme Court decision, and of course, that is trying to be overturned

right now. People did not appreciate the significance of what the impact this was going to have on our own society. When they can take your money and my money and use it for their purpose of destruction, that is the greatest thing that I have in the Roe v. Wade. They're using my money and my faith does not accept that nor do I accept that as a human being.

Some of the remarks that were made about the Catholic Church and nuns here, is something that is out of character and those people have to deal with themselves independently. They can be anybody but they have to be judged by the good Lord themselves and in the eyes of the various denominations that they're in. Let those people speak for themselves.

Michelle Madoff:

When this bill came up, the opposition to this bill presented a bill. I stated at that time, Mr. Wagner's bill, that this bill did not belong in this form because indeed we are a land of laws and whatever the law of the land is, I will obey that law. I think Mr. Pollock stated it more eloquently.

The fact remains that this Council deemed it proper to produce a bill of that nature and allow a woman to get up and actually single people out in this Council and clear implication we're going to get that person because they didn't agree with somebody's philosophy. I don't care whether anybody is black, yellow, striped, what their religious, sexual preference is; I don't want anybody inflicting it on me and I don't inflict my beliefs on anybody else. But since this Council took a position to support Pro Life, I think I have the right to support this bill and I think that, again, the issue is one of the laws of the land.

Mr. Pollock:

As is so often the case, Mrs. Masloff said a few words but they were very astute and wise. This is merely a resolution supporting March for Women's Lives Week and by passing this resolution, City Council is again not taking any position on Roe v. Wade or any position on abortion. It is merely supporting our fellow Pittsburghers who will be marching to Washington as we have supported many other Pittsburghers in many other marches on many other days. I would ask that we join our fellow Pittsburghers by showing our passage of this resolution in support of it.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. O'Malley
Mrs. Masloff	Mr. Pollock

AYES 4	NOES 5
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VOTING NO:

Mr. DePasquale	Mr. Wagner
Mr. Givens	Mr. Woods
Mr. Grabowski	(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Michelle Madoff:

I have another item. There's a very serious issue before this City; that is,

what is going to happen to the Stadium. I'm sure all members of Council have been inundated at home by the media asking them what they know.

I'm unhappy to tell you that all my information is second hand, third hand, speculation, and unfortunately, when we do media coverage, no matter what is said, they don't have the time, especially in the electronic media, they take one little quote out.

I'd like to go on record as saying that I think Mayor Caliguiri deserves a gold medal for his efforts in trying to get the Pirates to stay here and in his efforts to do the job. But I don't think we can wait five minutes. I would like to meet with the Mayor today and find out whether he plans to introduce a bill next Monday; obviously it was not introduced today. You cannot introduce it unless you're planning to recess this meeting, and I don't think you are, are you, Mr. President?

The facts remain that what we're hearing is that, indeed, several corporations who were pending to buy the Pirates are saying no on the basis of the reason we were stampeded into voting at the end of '85 which was grandfathering an IRS ruling which would make it very appealing and very attractive for someone to have a tax shelter. It was creative financing, highly technical, Einstein-has-to-understand-it kind of bill. We hired a consultant. Mr. Woods was a true leader in helping to work with the consulting firms. I think you were very please with them, were you not, Mr. Woods, and the job they performed, and we voted our conscience and we voted to support the Mayor.

Here we are now into the first of March. There's no reason to believe, although it is true and I believe it to be true, there are two more companies who

are indeed seriously interested in still negotiating, that if the IRS ruling was not appealing to four other corporations, why would it have an appeal for the other two?

We are going to be asked very shortly to go out on a short term note or on a bond. If we go out on that bond and if we do not find a buyer — this was not planned, Mr. Woods — what do we do? Where do we find the money when everybody sat here, as Finance Chairman, Mr. Woods, and told us how bad things were. Our City employees didn't get a raise, cost of living increase. We had no money, we circumvented it with thousand dollar bonuses to people I don't believe should have gotten it. And here we're being asked to go out on a bond and if we don't find a permanent buyer that \$2-1/2 to 3 million is out of the taxpayers' pocket. That should have been the main issue on today's agenda, even though we go by a pro forma, what our items are. We are elected officials, we represent the constituency of the City. Let's talk about the most important issue of this City. The most important issue is not the Stadium, is not the Pirates, but the bigger picture of bringing jobs to this community. And the Pirates and the Stadium is just a small segment of that. There is a blue ribbon task force, Mr. Wagner serves on it, I serve on it, and that committee has to immediately look at this whole picture.

I want information and I want it now and I think every member of this Council wants it. If anybody has any information, would you please share it with us. Do you have any, Mr. Woods?

The Chair:

I only know what I read in the newspaper.

Michelle Madoff:

Mr. Woods, that is a sad but true commentary. It's sad but true.

The Chair:

And I watched you and I learned a little off of you last night.

Michelle Madoff:

Thank you. Do you know why? Because I made several phone calls to informed sources who let me know what was happening. I don't want to be put in the position of being quoted out of context and not saying that the Mayor has done a tremendous job because he has. And I don't want him to get so committed to the position that he has to live up to that commitment that he'll be condemned for it and we're putting his feet to the fire. But he's going to do something irresponsible or irrational because he wants to keep his word. He tried. He tried the best he could. That's all you can say. The Mayor did a yeoman's job and a terrific job of trying. Let's not condemn him but certainly let's get some information.

The Chair:

Fine.

Michelle Madoff:

Now. When? Tomorrow? We have a task force meeting of this body. Can we meet tomorrow right after the task force?

The Chair:

We have a public hearing tomorrow. Ms. Madoff, I don't know. When the Mayor calls, he'll fill us in. He still thinks there's a buyer. You know, I've said all that before. I think everyone

else has said it; I think he has said it. I can't speak for him; I cannot speak for the Mayor.

Mr. Wagner:

Mr. President, I'd just formally like to make a motion that this Council meet with the Mayor sometime within this week to discuss the Stadium issue. Really, the purpose behind it is simply to find out what is happening, what options are available to the City, and to keep us all informed because obviously that is the topic of the day and I think all of us should be as up on it as anyone is up on it seeing that we may be back to square one and we may have another situation developing where other legislation may have to come in front of Council. I would like to have input prior to that legislation coming in front of us.

The Chair:

Mr. Wagner, I don't think you have to put that in the form of a motion. I guarantee you a meeting before the week is out.

Mr. Wagner:

Good. Terrific.

Michelle Madoff:

Mr. President, we have some problems on that. Two members on this Council, myself and Mr. Wagner, are on what I believe the greater picture, and we are being briefed this week because they want to get something happening. We're going to get sort of the gut of the proposals of the three different entities tomorrow at 8:30 until about 3:00 and then I think it's Friday as well and then we have a session on Monday and a session on Wednesday. The only free day I see as of now is Thursday.

I also want to make a point. The Mayor, not Councilmembers, said that I have set my own deadline, which was 24 hours. My information is that they have three weeks. I believe that the Galbreaths have set that three weeks. I do not know whether that's true but my gut tells me it's the Galbreaths.

The Chair:

I just said that I guarantee a meeting with the Mayor before the week is out and whenever that meeting is, I'm sure that we can all re-arrange our schedules on an important issue like this to make sure we are there.

Michelle Madoff:

I'm just pointing out that this is part of a greater issue which is bringing the tourists and the business to the area so they will support the team. So, Tuesday and Friday we are out. I just wanted to mention that.

Mr. DePasquale:

On the same subject. Mr. Chairman, I'm led to believe that the task force that Michelle refers to and that Mr. Wagner also serves on, someday in the near future is to make a decision or give an opinion on in which area in the City of Pittsburgh should be developed first. I believe there are four or five there under discussion. One I believe is Herr's Island, Armstrong Court, the Strip area, and the North Shore of the Stadium. What happens if the task force recommends that we develop one of those other areas rather than the North Shore of the Stadium, in lieu of the fact that nobody is coming forth to buy the Stadium at the present time?

Michelle Madoff:

May I respond to that? May I

correct that terrible erroneous impression that is circulating around town, that the task force is charged with prioritizing; in other words, coming up with a project to go on, first of all. That would be the worst thing that could happen to this community because, first of all, the rumors around town is that it's already wired and it's going to be the North Shore. That's not true.

We agreed there would be one spokesperson for the committee and it would be Joe Mistick who is chairing the committee, but I do not believe there would be any objection of that committee for my sharing information with this Council and with the public.

There was a letter received from the Buhl people on the North Shore, Buhl Planetarium, wanting to build a Buhl Science Center. They were afraid that indeed that was our rule, that we were going to be picking a priority and what if it wasn't theirs? They were ready to get their money. Michelle Madoff made a motion that we send a letter immediately in support of the Buhl Science Center and that we all support it so we don't endanger that project so they could get their funding, but in exchange, that Mr. Josh Wetzel and the Buhl people support all projects, and whatever project is ready to go first, if the Buncher project has people ready with contracts, they go first. If we're going to build the concept that Mr. Wagner has, which is brilliant, to have a tram, the air-way thing going from Mount Washington over to the Stadium comes first and we have that ready and in place — We want to do all of it. We went out on a \$100 million on a Water and Sewer Authority; we need \$150 million to do all the infrastructure for all the projects. And all three projects would equal one Baltimore Harbor.

That's what I meant, Mr.

DePasquale, that the Stadium is a piece of the problem. It is really not the major problem. We've got to bring tourism; we've got to bring people to this community because the same dollar that we had is being spent in the same place and we don't have any new dollars. That's the problem.

Now, on another matter. When we adjourn at this time, we are to go into the back room and discuss our ethics. I resent, first of all, I resent, and I'm going to tell Mr. Musick personally, although I think he's a delightful writer and he amuses me, that he reported that all of us voted unanimously for a law suit on the \$75,000. It happens that three minorities on this Council voted in opposition because we understand what it's like to be discriminated against, perhaps more than most people. That was an incorrect reporting.

Secondly, in his recent column he stated that going in the back room to discuss ethics is a big joke. If we're going to discuss ethics, let's do it here; let's do what is a conflict of interest and what isn't. I've talked to Councilman O'Malley and he says he has no objections to it. Let's do it right here and now.

The Chair:

Wait a minute; let me straighten this out. We're not going to discuss ethics; we are already governed by a state law that says ethics.

Ms. Madoff, I'm going to say this one more time and I hope everybody is listening. It's not a back room; it's a conference room. And if you want to paint it and try to ridicule this Council with that statement, that is your business. But I want everyone to know that every other colleagues of mine considers it a conference room and if any of you object to me saying that please

stand up and be counted and call it a back room. You are the people who asked to have these meetings once a month so that we could discuss this type of behavior in Council, how we act, how we treat each other, so we can get rid some of our frustrations instead of doing it here in Council. If you object to doing it, please, tell me now and we will not have any meetings. It is you who wished this, not Councilman Ben Woods. And there is one individual here that is ruining that and that is Ms. Madoff.

Michelle Madoff:

May I respond?

The Chair:

No, you may not until I'm finished. And please sit down.

Now, if there's anyone here who objects to us meeting in our conference room to discuss Council rules or any of our behavior, anything but legislation, please let me know and we will not have any meetings. But, we are governed, for everyone to understand this, there is a state law that governs ethics of every elected official and public official in this state. That's what we are governed by.

Michelle Madoff:

May I respond?

The Chair:

Yes.

Michelle Madoff:

Take a deep breath.

I agree, Mr. Woods, that when we want to talk about routine procedural situations, we can meet in a board room. But when we have a

Councilmember out of town who couldn't defend himself, who is being pictured as having taken certain actions, you and I discussed it and you said that you were trying to reach him, he was not here, we go in the back room and discuss what is considered ethical and what is not, the media is not going to here what we're saying on that subject. I am not saying on every subject. I think it's only fair to Councilman O'Malley that we discuss that particular subject and have him have a chance to air it in the room because we are discussing what is considered ethical and what is not considered ethical. Frankly, I'm going to start a business and I don't care if everybody knows about it and we talk about it in this room.

I am not -- perhaps you're misunderstanding and we have a communication gap here -- saying that we should not go in the room and say, well, we ought to this on Monday, we ought to do this, we ought to talk about this, and maybe Michelle, you said something I didn't like -- I don't object to that. I'm talking about in this particular instance of going to discuss and the subject today on the agenda is what constitutes a conflict of interest. Can we please discuss that item here in this room?

The Chair:

We are not going to discuss anything in the conference room that constitutes a conflict of interest because we do not know -- That's why the individual went to the Ethics Commission. There is a law that tells you what it is; it is governed by state law.

And whatever reporter says it's a back room, because they got that terminology from you, we don't discuss anything there but what we talked about,

behavior of Council, parking spaces, anything like that, behavior. But if you people do not wish to do it, that's fine with me.

Mr. O'Malley:

Well, since my name has been brought up and Michelle says that we're going to discuss this in the back room, it's not like this topic hasn't been discussed to death. We were on the front pages of the Press and Post Gazette 19 out of 21 days.

She's right, Mr. Flaherty did attack me when I was out of town. My thoughts on Mr. Flaherty's allegations are that they're lies. I know they're lies, Mr. Flaherty knows they're lies. Mr. Flaherty also knows that I wrote to the Ethics Committee, I put all his charges down, his allegations down, I put my answers down and we're waiting for an opinion from the Ethics Committee. Now, when Mr. Flaherty knew that I was asking for an opinion from the Ethics Committee, Mr. Flaherty filed charges. The only reason he made the accusations against me was to get his name on the front pages of the Pittsburgh Press and the Post Gazette. And he did succeed very well in doing that.

Hopefully I'll have an answer from the Ethics Committee this week.

The Chair:

Fine. Don't you agree that, since it is there, we should not discuss your problems?

Mr. O'Malley:

Well, one, there are no problems. All the realities, everybody knows there's never been any business with the City of Pittsburgh prior to my employment with them, that Oliver Realty certainly hasn't

done any business with the City of Pittsburgh during my employment with them. A conflict of interest states when a person uses his power or his elected office for a gain either for his company or for himself and I certainly would never do that and I don't think any member of this Council would do something like that.

I agree with you that the conduct of this Council, the conduct of the Mayor, the State Senate, the State Legislature, and every elected official and the Commonwealth of Pennsylvania, is governed by the Ethics Committee. I think it should be taken out of the hands of this Council. I think it would be very difficult for us to judge each other. I think it belongs to a non-partisan body like the Ethics Commission.

Michelle Madoff:

Mr. Chairman, with all due respect, I understand why you're angry and I would ask you if you wish to take the time, and I don't think you will, we can get the transcript, verbatim of what you said, and I have a pretty good memory. You said, and that's why the media picked up on it and why I said what I did, we will discuss -- somebody made a motion that we would meet in, if you want to call it the conference room, the conference room to discuss what constitutes a conflict of interest and what doesn't, as we perceive it. That should not be done in the room. Do you want to get the verbatim comment that was made in this room? That's what I understood, that's what the media understood, we were going to do in the conference room. The conference room, when we discussed that kind of item and the media isn't public, does become the back room. That's what I'm saying. Now, if you would like to wait, I'm sure that the City Clerk can get us the exact quote of why we were meeting and we

were going to meet in the "conference room" and we were going to discuss what everybody here understood a conflict of interest to be. Why can't the media be there for that? So let's do it here. Do you understand where I'm coming from?

The Chair:

Mr. Wagner, last Monday, said he wanted to talk about ethics of this Council. Am I correct, Mr. Wagner?

Mr. Wagner:

Yes.

The Chair:

I said that we can discuss that along with other things when we have our next Monday meeting in the conference room. What I mean by ethics of this Council, to me, it means behavior and other types of things, which we discussed last month. It's not what is a conflict of interest; that's not what he asked that day. He said ethics of this Council.

Michelle Madoff:

I'm sorry but he did.

Mr. Wagner:

I mentioned both the ethics and the conflict of interest. Really, my purpose behind it, Mr. President and members of Council, was that if there is going to be public speculation of Council, I think we have to adopt within our own rules certain rules that identify what a conflict of interest is. If a conflict of interest does exist, then we, I think, as a body, have to look at it ourselves rather than letting other bodies evaluate where we stand. I think we are subject too much to other opinions, public opinions, and the opinions of other governing bodies and we should take control of that

situation ourselves. So, that's what I'm suggesting we do.

The Chair:

Let me ask you this. What binding authority would we have if we said that no one could have an outside job?

Mr. Wagner:

As written into the Charter, we have the ability to investigate ourselves and we have the ability to establish rules and regulations. And if, in fact, we violated those, I think somehow we could be subject to whether or not we would even sit at this table. Council can, in and of itself, act upon itself. What I'm saying is that we should clearly identify when and how we can do that.

Mr. Pollock:

Everyone has been speaking about the State Ethics Act by which all elected officials in the state of Pennsylvania, as well as other people besides elected officials are governed, and that is accurate. But I might also point out to this body that in addition to the State Ethics Act, numerous governmental bodies within this Commonwealth have their own code of ethics and I point out to one that was recently enacted in our larger encompassing body which is the County of Allegheny which instituted its own code of ethics within the last year or two.

In addition, I would point out that there are numerous state ethics codes. There is one for different departments of the state. I think the Welfare Department has their own code of ethics; I think the Governor has his own code of ethics. I have obtained all of these different ethics codes and I am presently drafting a model City ethics code which I will be submitting to this body to be

enacted into legislation which would then give us the exact authority of which you're speaking, which would define the different terms you're speaking of and which would put us in the same situation as the County of Allegheny, as the Commonwealth of Pennsylvania, and as numerous other municipalities in the Commonwealth of Pennsylvania, so that there are no cracks through which certain things can fall, by which we do not have to wait for the Ethics Commission to act, which has a backlog, which does not act unless a complaint is filed or unless an opinion is requested.

Let us govern ourselves and by having what I consider to be a tighter, more encompassing, more rigid code of ethics by which we should all be governed, I think all the people of the City of Pittsburgh will be in better condition.

The Chair:

I totally agree with you and I think it should start right in this room, from all of us.

Michelle Madoff:

Mr. Woods, I think you owe me an apology because Mr. Wagner just restated that he indeed did say that he wanted to discuss the issue of conflict of interest. And you did indeed say we'll discuss that as part of our private meeting. All I said was that I think we ought to discuss it here and you immediately attacked me. I react to your attack and then I am the one that is branded as being the disruptive person. You see, most females would say, and hide under the table. Well, I'm not going to let you do that to me. I like you, I respect you, I think you do a good job; but that has nothing to do with when I think you're wrong. I'm going to fight for what I believe to be right in the same

way that you are. And you may apologize to me. If you're a gentleman you will.

The Chair:

Ms. Madoff, you better believe one thing. I didn't attack you. If I ever attacked you, you'd know it.

Michelle Madoff:

You attacked me and by attacking me you attack my constituency and certainly all women and I think you owe me an apology and you should be big enough to do it.

The Chair:

I don't feel I do.

Michelle Madoff:

I think you're wrong.

And on the motion of Mr. Pollock

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX Monday, March 10, 1986

No. 10

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, March 10, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mrs. Masloff:

Will the following people please come forward to receive their award? Ruby Patterson; Doris Beech, Title Five Program Coordinator; Paul Wallace; Sam

Albano; Theresa Neuman; Joseph Klasterka; and Terry Woodcock, Training Development Supervisor. Would you please join me here, ladies and gentlemen?

Mrs. Masloff presents

No. 460 WHEREAS, the City of Pittsburgh has a tradition of helping all of its citizens regardless of age; and

WHEREAS, older workers are an important resource in the City of Pittsburgh because of the wealth of experience they bring to any employment setting; and

WHEREAS, the Mayor's Advisory Committee on Older Workers has continued the City's tradition of serving older workers through the Job Training Partnership Act; and

WHEREAS, the week of March 9, 1986 through March 15, 1986 has been designated National Employ the Older Worker Week;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Pittsburgh recognizes March 9, 1986 through March 15, 1986 as Employ the Older Worker Week in Pittsburgh, and further recognizes the effort and achievement of older workers and staff volunteers of the City's Job Training Partnership Act Program as well as the staff and volunteers of the Area Agency on Aging for the exemplary work they have done, and continue to do, on behalf of older workers so that their potential

and vast experience will contribute to Pittsburgh's economic well-being for many years to come."

Mrs. Masloff moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. DePasquale presented

No. 407 Resolution providing for the issuance of a warrant in favor of M. DePasquale (Mario DePasquale, President) in the amount of \$5,110.00 in payment of Extra Work, being in addition to the original contract price of \$349,151.20 on Controller's Contract No. 27078-F, furnished for the benefit of the City connection with the Reconstruction of the Stadium Street Wall, payable from Code Accounts CDPW 81-43 - \$2,342.44 and PW 84-38 - \$2,767.56.

Also,

No. 408 Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company (Peter Nicholson, President) in the amount of \$100,638.00 for a partial payment of extra work for water and sewer line work on the Goettman Street Wall Emergency Contract, payable from EC 85-19 - \$89,210.00 and PW 84-38 - \$11,428.00.

Which were read and referred to the Committee on Finance.

Also,

No. 409 Resolution further amending Res. No. 294, eff. April 24, 1984, as amended by Res. No. 1015, eff. November 29, 1984, entitled: "Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements with Robert W. Hunt Company (Daniel V.

Blank, P.E., General Manager) for Professional Engineering Services in connection with the Steel Inspection for the Bloomfield Bridge, Phase III; and providing for the payment of the cost thereof," by increasing the total project allocation from \$235,000.00 to \$300,000.00, chargeable to and payable from the Bloomfield Bridge Trust Fund.

Also,

No. 410 Resolution amending Res. No. 900, eff. October 3, 1985, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with Phase I of the City of Pittsburgh's Program for updating the City Survey Control System; and providing for the payment of costs thereof," by increasing the total project allocation from \$115,000.00 to \$120,000.00, chargeable to and payable from PW 84-43 - \$46,301.50, EC 85-22 - \$70,000.00, and EC 86-33 - \$3,698.50.

Also,

No. 411 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Architectural/Engineering Services in connection with the Rehabilitation of Roofs of Various Buildings at a cost not to exceed \$28,000.00, chargeable to and payable from Code Account EC 85-59.

Also,

No. 412 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Architectural/Engineering Services in connection with the Design of the Rhododendron Picnic Shelter at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account PR 84-09.

Also,

No. 413 Resolution providing for an Agreement or Agreements with the Pittsburgh and Lake Erie Railroad Company granting the City license and permission to construct, maintain, renew, use and ultimately remove one (1) 30-inch diameter ductile iron waterline enclosed in a 42-inch diameter steel casing pipe under property, right-of-way, land and track at Survey Station 236+48.1, situated in the City of Pittsburgh, Allegheny County.

Also,

No. 414 Resolution providing for a Contract or Contracts for the Demolition of the Melancthon Street Footbridge over Baltimore and Ohio Railroad, including necessary work on private property at a cost not to exceed \$48,000.00, chargeable to and payable from Code Account CDEC 84-11.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 415 Resolution vacating Sagwa Street between Lapish Road on an unnamed way 110' easterly in the 27th Ward of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Also,

No. 416 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for furnishing and installing and/or reinstalling steel guiderrails and facilities related thereto at various locations within the City of Pittsburgh, and other work incidental thereto, at a cost not to exceed

\$110,000.00, chargeable to and payable from Code Accounts PW 86-10 - \$50,000.00 Flexible Beam Guiderrails and Code Account PW 86-12 - \$60,000.00 Capital Construction Division.

Which was read and referred to the Committee on General Services.

Also,

No. 417 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Louis Gaetano and Ralph Kraszewski to attend the Annual Snow Conference in Rochester, New York from April 13-16, 1986, at a cost not to exceed \$1,680.00, payable from Code Account No. 1502. Prior approval granted.

Which was read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 418 Resolution providing for an agreement of lease with Forbes Street Associates of certain space on the third (3rd) floor of the 441 Smithfield Building effective June 1, 1986, for an initial term of five (5) years but with an option to renew said lease for an additional term of five (5) years, at an annual rent of \$96,350.04 for the first year of said lease and at subsequent annual rents equal to the rent actually paid for the previous year plus an adjustment increase not to exceed ten percent (10%) of the rent for the prior year, for the purpose of securing space to be used for administrative functions by the Department of Water, subject to and conditioned upon the annual appropriation of sufficient funds for purposes of said agreement of lease, chargeable to and payable from Code Account No. 1922, Administration Division-Miscellaneous Services, Department of Water.

Which was read and referred to the Committee on General Services.

Mr. O'Malley presented

No. 419 Resolution authorizing and directing the Director of the Department of Finance and the City Controller to establish a Trust Fund to be known as the Business Development Trust Fund (BDTF); and authorizing the Director of the Department of Finance and directing the City Controller to deposit funds for economic development from the repayment of funds advanced by the City of Pittsburgh to the Stadium Authority of the City of Pittsburgh.

Also,

No. 420 Resolution of the City Council of the City of Pittsburgh determining to incur lease rental debt by entering into a Guaranty Agreement with the Stadium Authority of the City of Pittsburgh; determining that such lease rental debt shall be evidenced by \$_____, principal amount, Stadium Authority of the City of Pittsburgh, guaranteed stadium funding bonds, Series 1980, to be authorized and to be issued by Stadium Authority of the City of Pittsburgh.

Which were read and referred to the Committee on Finance.

Mr. O'Malley moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 421 Resolution providing for the issuance of a warrant in favor of \$1,090.50 warrant in favor of Joseph Mullen for car rental and auto damage by a Police van, payable from Code Account No. 46, Judgments.

Also,

No. 422 Resolution authorizing issuance of a \$1,950.00 warrant in favor of Edward Piela for refund of monies expended for an automobile sold in error at the City Auto Pound, payable from Code Account No. 46, Judgments.

Also,

No. 423 Resolution providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's II-A State Educational Grant Program at a cost not to exceed \$606,000.00, chargeable to and payable from the JTPA-1 Trust Fund, federal funds.

Also,

No. 424 Resolution providing for an Agreement or Agreements with various agencies of the implementation of the City of Pittsburgh's II-A Job Training Partnership Act Program at a cost not to exceed \$2,285,000.00, chargeable to and payable from the various JTPA Trust Funds, federal funds.

Also,

No. 425 Resolution providing for an Agreement or Agreements with Open Doors for the Handicapped, Pittsburgh Chapter, a non-profit organization, to provide the services of establishing and administering a job referral service for disabled City residents at a cost not to exceed \$12,500.00, chargeable to and payable from Code Account No. 1100, Miscellaneous Services, Department of

Personnel and Civil Service Commission.

Also,

No. 426 Resolution providing for an Agreement or Agreements with Urban Youth Action, Incorporate, a non-profit organization, to provide the services of employment and educational activities to City of Pittsburgh Youths between the ages of 13 and 15 years old at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 427 Communication from Richard S. Caliguiri, Mayor, requesting permission for George Whitmer to attend legislative meetings in Harrisburg, PA on April 1, 1986, at a cost not to exceed \$350.00, payable from Code Account No. 1017.

Also,

No. 428 Communication from Edward Walkowski, Manager, City Information Systems, requesting permission for ten persons to attend various computer software courses at the University Technology Development Center in the Oakland Section of Pittsburgh in March and April, 1986 at a cost not to exceed \$6,432.50, payable from Code Account No. 1043. Use of a City vehicle is requested.

Also,

No. 429 Communication from Ronald Schmeiser, Director, Department of Finance, requesting permission for Marion Wise to attend the Introduction to Lotus 1-2-3 at the University of Pittsburgh from March 18 through May 13, 1986 at a cost not to exceed \$165.00, payable from Code Account 1063.

Also,

No. 430 Communication from Melanie Smith, Director, Department of Personnel and Civil Service, requesting permission for Dave Farley to attend the Department of Labor and Industry Meeting in Harrisburg, PA on March 10, 1986, at a cost not to exceed \$350.00, payable from the JTPA-1 Trust Fund. Prior approval granted.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 431 Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to provide funds for the making of loans in connection with the Urban Redevelopment Authority's Business Reinvestment Fund, money expended shall be utilized to make a loan for the acquisition of the assets of the Pittsburgh Athletic Company, Inc., in the amount of \$20,000,000.00, chargeable to and payable from the Business Development Trust Fund.

Which was read and referred to the Committee on Finance.

Also,

No. 432 Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1986 Community Development Block Grant Program; providing for the execution of Grant Contracts and for the filing of other data; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in

connection with the Project; providing for the deposit of the funds in a bank account and providing for the payment of expenses within categories. This Resolution amends the 1986 Capital Budget as noted in the line items listed in Section 10. The total amount of the 1986 CDBG Program is expected to be \$13,920,000.00.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 433 Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the administration of City programs and projects, for services in connection with non-federally funded projects. The funds are necessary to offset expenses not allowed by federal and state funding sources for projects the Authority administers on behalf of the City at a cost not to exceed \$240,000.00, chargeable to and payable from Code Account 1017, Office of the Mayor, Miscellaneous Services, B-5 Development Services.

Also,

No. 434 Resolution providing for a Single Room Occupancy Housing Demonstration Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh

providing for the designation and implementation of \$1,000,000.00 in tax exempt financing and developer's equity as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs.

Also,

No. 435 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$1,000,000.00 to the Pennsylvania Department of Community Affairs for the Single Room Occupancy Housing Demonstration Program.

Also,

No. 436 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any in and to the publicly owned properties in the 10th Ward of the City of Pittsburgh designated as Block and Lots 50-G-40B (330 N. Atlantic and 530 N. Atlantic) for the sum of \$1.00 plus all necessary and incidental expenses, in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The property, a vacant structure, is being acquired for Resale to a developer. The developer will be required to rehab the structure up to Building Code standards.

Also,

No. 437 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 5th Ward of the City of Pittsburgh owned by Barbara Jean Cockfield and designated as Block and Lot 27-K-22

(3141 Brackenridge) for the Fair Market Value plus all necessary and incidental expenses, in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The property, a vacant lot, is being acquired for Resale to an adjoining neighbor as a sideyard.

Also,

No. 438 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interests, if any in and to the publicly owned properties in the 14th Ward of the City of Pittsburgh designated as Block and Lots 125-K-9 (6814 Fifth Avenue) for the sum of \$1.00 plus all necessary and incidental expenses, in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The property, a vacant lot, is being acquired for Resale to an adjoining neighbor, as a sideyard.

Also,

No. 439 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any in and to the publicly owned properties in the 18th Ward of the City of Pittsburgh designated as Block and Lots 15-R-73, (918 Taft Street) for the sum of \$1.00 plus all necessary and incidental expenses, in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of

Pittsburgh. The property, a vacant lot, is being acquired for Resale to an adjoining neighbor, as a sideyard.

Also,

No. 440 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Paul Farmer and Jane Downing to attend committee meetings of the American Institute of Certified Planners and participate in the APA National Planning Conference in Los Angeles, California from April 5-9, 1986, at a cost not to exceed \$2,600.00, payable from Code Account 1103.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 441 Resolution that the Director, Department of Public Safety, in conjunction with the Director, Department of General Services are hereby authorized and directed to enter into such contracts or agreements as is necessary for the lease or rental, on a temporary basis, of a river rescue boat for the remainder of the calendar year, 1986 at a cost not to exceed \$20,000.00, chargeable to and payable from the Department of Public Safety Third Party Payers Code Account (DPSTPP).

Which was read and referred to the Committee on Public Safety.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Pollock seconded the motion.

Which motion prevailed.

Also,

No. 442 Communication from John Norton, Director, Department of Public Safety, requesting permission for Raymond Micknowski to attend a training session entitled "From Caring to Action" in Pittsburgh, PA on April 1-2, 1986, at a cost not to exceed \$200.00, payable from Police Recruit-In Service Training, Code Account PRIST.

Also,

No. 443 Communication from John Norton, Director, Department of Public Safety, requesting permission for Douglas Garretson to attend the 58th Annual Fire and Rescue Instructors Conference in Cincinnati, Ohio from March 15-19, 1986, at a cost not to exceed \$700.00, payable from the Department of Public Safety-Third Party Payers Trust Fund, Code Account DPSTPP. Use of a City vehicle is also requested.

Also,

No. 444 Communication from John Norton, Director, Department of Public Safety, requesting permission for any of a list of 63 persons to attend any of certain classes at the National Emergency Training Center in Emmitsburg, Maryland in May, June, July and August of 1986, at a total cost not to exceed \$5,000.00, payable from the Department of Public Safety-Third Party Payers Trust Fund, Code Account DPSTPP. Use of a City vehicle is also requested.

Also,

No. 445 Communication from John Norton, Director, Department of Public Safety, requesting permission for

Douglas Garretson to attend a Committee Meeting of the Emergency Health Services in Harrisburg, PA on March 7, 1986, at a cost not to exceed \$150.00, payable from the Department of Public Safety-Third Party Payers Trust Fund, Code Account DPSTPP. Use of a City vehicle is also requested. Prior approval granted.

Also,

No. 446 Communication from John Norton, Director, Department of Public Safety, requesting permission for Bernard L. Schmiedeke and Gary Byers to attend the regular quarterly meeting of the Municipal Police Officers Education and Training Commission to be held in Hershey, PA on March 5-6, 1986, at a cost not to exceed \$350.00, payable from the Police Recruit In-Service Training. Prior Approval Granted.

Which were severally read and referred to the Committee on Public Safety.

The Chair presented

No. 447 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the need for the resurfacing of Sickles Street in the 13th Ward.

Also,

No. 448 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss requiring refuse collectors to pick up trash and refuse in yards rather than at the curbs, for the residents at the age of sixty (60) or over.

Which were read and referred to the Committee on Public Works.

Also,

No. 449 Communication from Tom Flaherty, City Controller, submitting a Fiscal Audit of Warehouse Audit, Department of General Services, dated February 1986.

Which was read and referred to the Committee on General Services.

Also,

No. 450 Petition from the residents of the City of Pittsburgh, requesting a public hearing to prevent the City of Pittsburgh from refusing to grant parade permits for road races (running) on Sundays due to religious services and objection by religious leaders.

Which was read and referred to the Committee on Public Safety.

Also,

No. 451 Petition from the residents of the City of Pittsburgh, requesting a public hearing for the demolition of the Davis Avenue Bridge.

Which was read and referred to the Committee on Engineering and Construction.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 452

Report of the Committee on Finance for March 5, 1986 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 222

An Ordinance entitled, "An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh an advisory referendum question as to whether or not said voters are in favor of the legalization of greyhound racing and wagering within the City of Pittsburgh, and dividing the revenues gained equally between the State and the City, with the City's share being used exclusively for the reduction of the Earned Income Tax."--(SPONSORED BY MR. WAGNER) (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Wagner:

First of all, I'd like my comments brought forward from the Committee Meeting of last Wednesday.

Mr. Pollock:

I also would like my comments brought forward.

(MR. WAGNER & MR. POLLOCK'S REMARKS ON BILL NO. 222 FROM MARCH 5, 1986)

Mr. Wagner:

Mr. Chairman, Members of Council, the issue of Greyhound Racing and wagering on Greyhound Racing has been before the State Legislatures for about the last five or six years. There have been at least one half dozen of bills in Harrisburg for various reasons those bills have not moved out of committee due to lobbying efforts against them; however, there have been many legislatures and as a matter of fact the most recent bill was sponsored by about 20 State Legislatures and there needs to be some means in which public opinion is

obtained on this issue. Basically, that is what I am suggesting with Bill 222, that we have a referendum question in the City of Pittsburgh to find out what the people think in regard to Greyhound racing and whether or not it should be legalized within the boundaries of the City of Pittsburgh or possibly beyond that.

As you all know, this has come up in the committee before; last week we had a lengthy meeting, public hearing pertaining to this issue. The public hearing pertained to mostly some of the problems that the speakers have indicated that existed in Greyhound Racing Industry in the past and to some degree in other states even today. The problems that they spoke about was the mistreatment of animals, the wagering problems and the impact that it can have on society.

Gaging from the public hearing, there were approximately three people opposed to every person in favor in terms of the number of speakers. All of you have probably had responses in your office whether it be by telephone or whether it be by written letters or even comments made on the street in regard to this issue. I personally think that we have not truly heard the majority speak on the issue and that's the reason for me requesting an advisory referendum question to be put on the ballot, hopefully, this coming May if it passes this Council and if it passes the Board of Elections.

I would just like to state very briefly, we have talked about -- I have talked about the advantages of this potential industry in the City of Pittsburgh. It exists in many areas throughout the country, 15 states, there are 45 tracks, it's the sixth largest spectator sport and what advantages can it have, to the City of Pittsburgh? Well,

the number one advantage is jobs; it can create anywhere between three and four hundred jobs. It can have a tremendous spin-off impact on other industries such as what some of the people at the public hearing spoke about, the bus industry, transporting people to and from, the restaurant industry and many others; it can be a new revenue source. Not only can it be a new revenue source, it can keep us from losing revenue in the City. What I mean is that many people including possibly many of us and many of the people here in this room have been to Greyhound Racing Tracks and probably the one you have been to is Wheeling West Virginia. We have actually left our City, left our county, left our state and spent dollars in other states that should have remained here. Not only should they have remained there but we could be soliciting that revenue from other areas that could be coming into Pittsburgh.

I believe that this potential industry also has another benefit which is entertainment. We can generate a new entertainment in the City of Pittsburgh, something that can help our convention business, something that can help our tourism industry. We have a very well known family in this City, possibly the most respected family in the City that owns Greyhound Racing Tracks in this country, the Rooney family. I have even spoke with them personally, they have indicated to me that in order to properly administer this sport all it takes is to have the proper state laws to govern the sport.

The two bills that are presently in front of the House in Harrisburg have incorporated proper protection of the animals. It has indicated the elimination of live lures in training in the use of Greyhounds and it has also indicated some of the training procedures that must be incorporated is this sport were

to be legalized in the City of Pittsburgh.

Getting back to the purpose of this resolution, it is a referendum, request for a referendum and as part of this referendum, I am suggesting that if it be legalized, that a portion of the revenue gained be equally divided between the Commonwealth of Pennsylvania and the City of Pittsburgh. As for that revenue to be earmarked towards reduction of the Wag Tax. Now, if this were legalized, ultimately, that decision would be left up to the State Legislatures. However, we could cast our opinion and the public could through a referendum question. The referendum itself probably is the greatest form of participation in democracy. There is nothing bad about a referendum question especially if it pertains to a new area that needs to be explored in government. When it talks about the ordinary everyday questions that we can vote on here at this table in which we were elected to vote on, I don't think a referendum question is proper, but when we are talking about potentially a new industry; when we are talking about something that has not been done in this City in the past, I think that warrants public opinion; and the greatest way to get public opinion is through a referendum.

In addition, a referendum it has been proven increases the number in percent of people that actually vote on Election Day. It is a way to get people to participate more in government. We have asked for an opinion, I believe Councilman Givens asked for an opinion from our Law Department whether or not it is legal to ask for an advisory referendum? That opinion has been given back and I don't know if all of you have seen it? It indicates that even though it has not been customary for advisory referendums to be placed on the ballot. I tend to believe that because it is an unusual item that they would think

favorably upon this resolution.

I just want to share a couple of other quick items with you. It was provided to me some information pertaining to whether or not Greyhound Racing if legalized in the City of Pittsburgh would cause a criminal problem or criminal element in our City? Our Public Safety Department did a study within the last week and they surveyed at least ten cities in the country where Greyhound Racing exist and they indicated and I will state out of the findings in a letter to Mr. Louis DeNardo. "In overview of 12 law enforcement agencies contacted indicates that the sport of dog racing has produce minimal problems for police. None of the police agencies contacted indicated any involvement on the part of organized crime in the sport within their particular jurisdiction." "This is one of the cleanest sports in terms of wagering that exist in America, with no indications of criminal element involved in it." I would like to just briefly sum up that dog racing is legal in the State of Pennsylvania and that is something that a lot of people really are not aware of it and many participants at our public hearing are not aware of. Dog racing is legal and just recently there was a dog race in the Allegheny National Forest with Siberian Huskies, a 50 mile race just a month or six weeks ago. The only thing that is not legal is the wagering on dog racing and that's basically the question that is being asked here on the referendum question that is being proposed.

The other item that I want to indicate is that the major opponents to dog racing in this state are as follows: Number one, the Horse Racing Industry. The Horse Racing Industry does not want to see dog racing legalized because obviously it is competition to another industry. The number two opponent is

dog racing trackowners in adjoining states and adjoining states; the reason being obvious, that we would be taking some of their revenue. In the situation with Wheeling West Virginia, 70 percent of those that go the Wheeling are Pennsylvania residents. The third are the Humane Society and the protection of animals who object to it and the fourth are those that are against wagering in general. Those against wagering in general, I don't think there is anyone in our society that doesn't wager on something, whether it be a Bingo, whether be betting on a football game, whether it be playing the lottery and we all know that the benefits of the Lottery, what it has done to our state. Every senior citizen in our state has benefited from the Lobby. I think every citizen in this city can benefit with the legalization of Greyhound Racing.

Finally, just to wrap up, I would just like to say that if in fact this Council approved this resolution, if it goes on the ballot, if it is not approved overwhelming by a margin of two to one in a referendum question, I personally will stop lobbying in behalf of Greyhound Racing. If the Public does not approve it two to one, I will backoff on the issue, that's how positive I feel that the public will support this issue and I am simply requesting your support on this resolution.

(MICHELLE MADOFF COMMENTS)

Mr. Pollock:

I share Michelle's concerns about referendum of Government. We were elected by the people to represent and we have a representative democracy. The other concern that I have is on referendums, is that often times especially when there is an issue concerning big money and obviously there is when you have a racing question

is that outside interests can come in and by media time and by leaflet and so forth to effect a vote on the referendum which might not otherwise be a representative vote; so that is a concern that I have.

The other concern I have is that while Jack is to be commended for trying to come up with new ways to create jobs and produce revenue for the City of Pittsburgh, I don't think that racing is the way to go and I think that Council should look for other ways to create jobs and produce revenue and the amount of jobs that would be created would be insignificant compared to the lost of prestige to the City and the loss of esteem to the city. The character of the jobs, I think would be minimum wage jobs, ticket sellers, vendors and so forth. I think we could spend our efforts and try to find other ways and I would be opposed to the referendum for that reason.

(MR. O'MALLEY COMMENTS)

(MICHELLE MADOFF COMMENTS)

(MR. O'MALLEY COMMENTS)

Mr. Wagner:

No, I haven't.

(MR. DEPASQUALE COMMENTS)

(MR. GIVENS COMMENTS)

(MICHELLE MADOFF COMMENTS)

(MR. GIVENS COMMENTS)

Mr. Wagner:

Members of Council, just a couple final comments raised by you in regard to the referendum question. True our state law is different from other states in that a referendum in our state is not a

binding referendum. I think that is to our advantage in this state; and I think it is good that we have advisory referendum rather than binding referendums. However, there are some very important issue that warrant advisory referendums. We have heard throughout the country and we have heard even in the State of Pennsylvania the nuclear waste disposal issue. If nuclear wates were to be disposed in the City of Pittsburgh, I personally think because that has never been done here, that's an issue that warrants an advisory referendum to find out what the public thinks. What we are talking about here is a new tax, really, that's the issue here. The issue here is a new tax, a new source of revenue, it's a tax on wagering. Does a new tax deserve public opinion? Absolutely, there is no doubt about it because those that wager on dog racing would be required to pay a portion to the municipality, possibly to the county and to the Commonwealth.

Another comment was mentioned about minimum wage of employees at these facilities, absolutely false. These are union workers, similar to the union workers that we employ at our Three Rivers Stadium, they make a very decent wage, true many are part-time, they work four hours a day in the evening during the events only, but they make a very good buck for those four hours. In terms of economic development, all of you know that I will vote yes on any project as it relates to economic development, I don't care what public pressure is placed upon me. If the project creates jobs, I will vote for it and that is the number one problem in our city. We are not going to attract large companies to this City that employ three, four hundred people in heavy industry. We have to start with smaller companies, the hi-technology field, we can't expect all studies indicate that you cannot expect the number of employees

in hi-technology to be any greater than one sixth of your work force. We need to have other people working in other service industries as related to that.

Again, finally, I would just like to state this is nothing more than asking the public for their opinion, I see nothing wrong with that, it's a new idea, new ideas deserve public opinion, it is not approved two to one, I will back off on the issue.

I vote aye.

(END OF REMARKS ON BILL NO. 222)

Mr. Wagner:

I'd just like to say very quickly that I would, as indicated in this bill, what we are simply doing is asking for an advisory referendum question and we're asking for public opinion. This is a potential new source of revenue; it's potentially a new tax that City residents would pay in terms of wagering on greyhound racing if it were legalized within the boundaries of the City of Pittsburgh, as indicated here.

Because it would be a new source of revenue and a new tax, and because this industry does not exist now, and because there is proposed state legislation, I feel it's appropriate up front to ask for an advisory referendum to determine what public opinion is. If public opinion, as a result of a referendum, is not in favor of it, I would strongly suggest that we would not support those House Bills that exist. I personally would not support it if the referendum did not pass by a margin of 2-1 because it is a controversial issue.

I'd just like to say that the House Bills that are proposed have included in them some very strict laws as it relates to the treatment of animals and there's

no reason why that can't be amended to make it even stricter and to protect the animals even further.

So, I would appreciate your support for this bill which, again, is simply and only asking for true public opinion through a referendum question.

Mr. DePasquale:

Mr. President, I appreciate Councilman Wagner's sentiments. However, we know full well that our vote for the referendum isn't the aye vote in favor of dog racing, or a no vote opposed. Yet the public seems to have the feeling that this is the way we're voting; if we vote for it, for the referendum, we're voting for dog racing and if we vote against it, we're voting against dog racing.

I've been deluged with calls from people over the weekend; in fact, they came to my home and church yesterday, just everywhere I went. Everybody that I talked to or talked to me was vehemently opposed to dog racing, cruelty to animals, or whatever reason. I haven't had one person call me to tell me they're for it, or would like to see dog racing or would like to put it on the referendum.

I doubt that the revenue and the jobs that are projected are there. Due to that fact, even though I voted last Wednesday in the Finance Meeting to put it on the referendum, I have the prerogative today, as all of my colleagues do, to vote for or against and I've decided to change my mind and I'm going to vote against it.

Mr. Pollock:

I would just like to point out that for those people who feel that the public hearings are a waste of time or that

we've all decided how we're going to vote ahead of time, I want it to be known that, frankly, I was leaning toward voting for this for the simple reason that the argument that Jack has made about letting the public express its view on the issue and so forth was very important. This was merely an advisory referendum.

But having listened to all of the people at the public hearing, I decided to change my mind. The most telling testimony, the most significant testimony, was that this issue, if it were placed on the ballot as a referendum, would really not put the parties on different sides in the same bargaining position. People who would be opposed to dog racing would have to rely upon word of mouth or leafletting or something like that whereas those supporting dog racing would be able to come in and have the funds necessary to make a high media campaign, heavy media campaign supporting it. We saw the one film in Council that they put together which, of course, portrayed dog racing in a very favorable light.

So, I think the parties would not be on equal grounds and I don't think we'd really be able to get a fair referendum and for that reason I am voting against it. I do not feel necessarily that all referendums are bad but I think that the parties should have equal bargaining power.

Michelle Madoff:

I'm still going to vote against it but I do want to share with my colleagues that I did get one more call at my house and that was from some senior citizens who claim they take the bus to West Virginia to go to the dog races. I had to think about that and then I started thinking about these poor senior citizens losing their money at the dog races.

I still maintain that if we're going to have government by referendum, I'd like to see the issue of the Stadium bond issue put on a referendum. I'd like to see every important issue like Warner, the steam heat plant, everything, put on referendum. We can't have government by referendum so I'm going to vote against it.

Mr. Grabowski:

Mr. President, Wednesday I happened to be out of the room when the vote was taken; therefore, I was unable to cast my vote, but had I been here Wednesday it would have been in the affirmative. Today I am voting in the affirmative.

It seems, though, that if you're voting in the affirmative, somehow the connotation is that you're in support of cruelty to animals. I don't know, I think that's a misrepresentation of the facts here. I'm probably the only Councilmember here that has a 30 x 20 picture of his dog hanging on the wall in his office. I love my dog and I probably love my dog just as much as anyone out there loves their pet. But I think that this is a great way to bolster the economy of the City and I think that's what Councilman Wagner is after here. But I think, Jack, the way this is worded, I think you're being unrealistic if you think that we're going to get half of the tax revenues. I mean, the General Assembly often times works in mysterious ways but I don't think they're going to be generous enough to give the City of Pittsburgh 50 percent but, nevertheless, I think the spinoffs from this, if it would happen to come along, we would happen to realize the dog track or what is desirable.

I intent to vote for this and I would encourage all members of Council to do likewise.

Mr. Givens:

I had abstained my vote on Wednesday trying to give it great thought and that legal opinion was given to us right before we came into the Council at that particular time. Referendum questions, as far as the City of Pittsburgh and Allegheny County, there's no requirement, it's a referendum that we're just wishing and hoping that things will come our way and that's not the way it's done in the real world. In fact, the County Commissioners have a policy against referendum questions. And, yes, there have been one or two that have gone in but most of them have been Allegheny County in scope, not just one of 130 municipalities.

We have to watch, and if Jack had approached me on this legislation prior to its getting this public publicity, I would have told him of my experience of several years ago, three or four years ago, when I had the same thought in mind not knowing the embattlement of the dog treatment. That was not an issue that even surfaced at that particular time. But it's a state regulated and state controlled and the taxes go to the state. Even then, as recently as now, talking to our local state legislator, our local state legislators, they would love to give this to all local municipalities but in reality, they have a budget up there; they're being cut very drastically on their revenues and their revenues tie into education, it ties into the helping of people who are in need in this particular state, things that we do not address in this City government. So, they're not going to be relinquishing one penny to any municipality because they need it for their particular endeavors and rightfully so.

When the public hearing came about and the dog treatment issue came up, that almost startled me to know that

the care of these animals and I didn't hear controversial testimony that left me feel that this dog treatment was going to be any different than what was depicted in that public briefing to us and hopefully, it will change and hopefully, the state law, if it does get passed, has strong binding legislation in it that will control these animals wherever they're trained, and I say wherever. What happens so many times, when we can't do it in this country or we put bites on people in this country, then they go overseas into our island kingdom out there and they train them out there and they'll bring them in from the islands where there's no regulations and we have no absolute control on them. So, until something of a national type of law that prohibits the type of training that was depicted to us at that public hearing, I'd have to vote for it just on that reason alone.

Maybe the most gravitating one of all my objections is the social cost when it comes down to the gambling aspects of it. Jeep indicated he went to church, I went to church too, and that's what I heard from many church-going people in this City, that we don't need any form of gambling within our local community, and they were very strong in that opinion and I respect that opinion.

Thank you, Mr. President.

Mr. O'Malley:

I'm also against the legislation but for different reasons. One, it is a county referendum, and two, if the referendum did pass and greyhound racing was allowed by law by the State Legislature, because of the limited land use in the City of Pittsburgh, it would be very unlikely that the dog track would be located within the limits of the City of Pittsburgh. More likely, the dog track would be located in the county and

therefore, the City of Pittsburgh would probably realize no tax benefits from it at all.

The second reason, I think, the statistics show that the people that can least afford it would probably utilize the facilities more than anyone else, and that would be more of a drain on their limited income. I don't see any benefit for the City of Pittsburgh passing this bill and I don't see any benefit for the City or for the residents if this bill was to pass.

Mr. Wagner:

Mr. President and members of Council, in response to some of your concerns. Councilman Grabowski, you're right, this is a very idealistic percent to hope that the State Legislators would send 50 percent of the tax revenue generated back to the City. Of course, it's a start and even if we ended up getting half of that, I would be ecstatic about it. But, as you know, being a State Legislator, what's important is to let them know that we do want a local option. If this is legalized in the state and if the track is located within the boundaries of any municipality, that municipality should profit by that.

Councilman Givens, the training and the breeding, I have indicated and I will support, the training and the breeding of greyhound dogs within the state limits, within the Commonwealth of Pennsylvania, where you can regulate that entirely, totally, and if the state of Texas does not have strict laws, the state of Pennsylvania will have strict laws and will become a frontrunner in the greyhound industry for the proper treatment of animals.

In regard to the gambling aspects voiced by you and Councilman O'Malley, the local church that you go to sponsors

gambling. Whether or not you want to accept that, bingos and the lottery, and gambling touches everyone in our society's life. It's a gamble to run for office, believe it or not, because you can lose and you can spend a lot of money in the process. You can talk about gambling and who gambles and who doesn't gamble but everyone in society gambles; they gamble every day of their existence. It's been legalized in many fashions by government; the one we're most familiar with is the lottery. There's not a senior citizen in this commonwealth that doesn't benefit from the lottery. Everyone thought that the lottery was such a bad idea but, as it turned out, there's very few people that think it's a bad idea today.

This proposal is the only proposal recently that can generate a new tax revenue when this City is faced with losing 10 to 15 million in federal revenue sharing, when we're talking about subsidizing a professional major league franchise, baseball, in this City with a proposal that has been presented to us. We're talking about going into the pockets of the taxpayers for an additional \$2 million a year. What I'm suggesting here is a new source of revenue that can supplement the loss of federal revenue sharing, that can supplement the money that we're spending to support a major league franchise that can't support itself. There's no greyhound racing track in the country that doesn't make money. It's a very profitable operation, something that will reduce the wage tax if we can gain the revenue, as suggested in this referendum, something that will create 300 or 400 jobs. What's wrong with 300 or 400 jobs in our City, something that will have a spin-off impact on other industries?

The idea here basically, though, is and only is, public opinion. It's an

advisory referendum of an appropriate way to go. Statistics indicate that the best form of participatory democracy is the referendum question. If you really want to know public opinion, as Councilwoman Madoff indicated, with a question that everyone's concerned about in the public eye, go to a referendum. A lot of people say if you go to a referendum you're taking away your responsibility. No. By law, we are given the opportunity to go to referendum for a purpose; not to take away our responsibility but to ask for public opinion. There's nothing wrong with asking for public opinion, especially before the fact on a controversial issue, especially if it involves a new industry, especially if it involves a new form of tax, a new revenue-generating source. Public opinion is healthy and for this Council to not permit public opinion is not democracy. For that reason, I strongly suggest there is nothing wrong with the referendum question as long as it's a question that's appropriate at the time and I think this question is. I would appreciate your support.

Michelle Madoff:

I'm going to be very brief. Mr. Chairman, after we have all our other business done, before we adjourn for today, I would like to address one of the subjects that was touched on by my colleague, and I will give further reasons why I don't think you could go to referendum. If it were possible to put a question on a referendum, first of all, it is very costly, it's taxpayers' dollars, to put a question on the referendum. But if it was possible to put a referendum on that wasn't a three-pronged monster that really asked the question and gave the information —

Can you say in a referendum the dogs that are going to be racing would be from out of the state and that we cannot

control out-of-state dogs and their abuse and treatment? Can we say for sure that dollars would be coming to the City? And isn't it really part of a much greater package which is bringing new tourist dollars to this area? We're really taking it out of sinc and I'm digressing from my own statement. But, when we get to the issue of the — For example, if we're going to have a referendum on dog racing, why don't we have a referendum on the Pirates? I'm going to tell you why we can't have a referendum on the Pirates later because people can't get all the facts in a referendum question that we have access to and that's why we're elected. I'm going to touch on those later. But I don't think in a referendum question on dog racing we could give them enough facts to get an intelligent response by vote. You can't say in that referendum, as I mentioned earlier, all the variables. You can only say do you want dog racing or don't you. I think that is not sufficient information from which to get an accurate opinion.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't)

AYES 4 NOES 5

VOTING NO:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock

Michelle Madoff

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also,

Bill No. 290

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of R. & W. Electric Company (Richard G. Welch, owner) in the amount of \$960.00 in payment of Extra Work, being in addition to the original contract price of \$29,000.00 on Controller's Contract No. 26854, furnished for the benefit of the City in connection with the Renovation of Fire Station No. 27 - Mt. Washington; and providing for the payment thereof."

Which was read.

Also,

Bill No. 291

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company (Peter Nicholson, President) in the amount of \$35,368.50 for the fourth partial payment of an Emergency Contract for the Reconstruction of the Goettman Street Wall; and providing for the payment thereof."

Which was read.

Also,

Bill No. 292

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Able Hess (Raymond Hess, President) in the amount of \$52,329.00 in payment for Extra Work, being in

addition to the original contract price of \$247,432.00 on Controller's Contract No. 27217, furnished for the benefit of the City in connection with the Rehabilitation of Fire Stations No. 16, 36 and 7; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 305

A Resolution entitled, "Resolution amending Resolution No. 979, Item E, approved October 16, 1985, which authorized the sale of property in the 19th Ward, being vacant land located at 1321-23-25-27 Sycamore Street, designated as Block 6-R, Lots 312-313-314-315 to Robert M. Seybold for the sum of \$2,700.00." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 306

A Resolution entitled, "Resolution Repealing Resolution No. 446, Item F, approved May 30, 1984, which authorized the sale of property in the 13th Ward, being a 2 Story, Brick house, located at 7044-1/2 Idlewild Street, designated as Block 174-E, Lot 158 to James T. D'Angelo for the sum of \$2,500.00."

Which was read.

Also,

Bill No. 307

A Resolution entitled, "Resolution amending Resolution No. 36, Item E, approved February 4, 1986, which authorized the sale of property in the 10th Ward, being a 2 Story, Brick house, located at 5305 Rosetta Street, designated as Block 50-G, Lot 36, to L. Jalik Petty & Helen E. Lyles Petty, his wife, for the sum of \$2,500.00."

Which was read.

Also,

Bill No. 308

A Resolution entitled, "Resolution amending Resolution No. 36, Item H, approved February 4, 1986, which authorized the sale of property in the 17th Ward, being a vacant lot located at 17 Hartford Street, to Michael Lanese, for the sum of \$500.00."

Which was read.

Also,

Bill No. 309

A Resolution entitled, "Resolution

providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Ac' No. 514 of 1947, as amended."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 325

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Louis Tambellini's Restaurant, 860 Saw Mill Run Boulevard, Pittsburgh, PA 15226, in the amount of \$502.75 in payment for the Officer Friendly Luncheon furnished for the benefit of the City, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 264

A Resolution entitled, "Resolution amending and supplementing Resolution No. 1281 of 1985 effective January 1, 1986, entitled: Making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1986, by making certain additions and corrections."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES 1

(MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 265

A Resolution entitled, "Resolution amending and supplementing Resolution No. 1282 of 1985, effective January 1, 1986, entitled: Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions, by making certain additions and corrections." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Wagner:

Mr. President and members of Council, Bill No. 265. I don't know how many of you are aware of this but Bill No. 265 is a revamping of the budget. Go to page S-1; it lists members of Council and their salary. In the year 1985, it's listed as \$33,800 and in the year 1986, it's \$34,476. The following page is a pay increase for the Mayor. And in here is, I suspect, I can't find it, is another pay increase for the Controller.

As you know, we're about ready to vote on this bill and Council suggested

very strongly back at the budget hearings, and the Mayor suggested very strongly, that there would not be pay increases for as many City employees as possible. Under the Home Rule Charter as amended, 11 elected officials can receive pay increases up to and equal the average increase for City employees. Due to the fact that police received a four percent increase in their negotiations this year, due to the fact that firefighters, in a two year agreement, last year received a four percent increase during both years, and due to the fact that there were some other minor increases in the City budget for pays, approximately one-half of the City workforce received a four percent raise. Because of that, the average overall increase for all City employees is approximately two percent.

As proposed in Bill No. 265, we are to receive a two percent increase which leads me to my motion. I do not think that this Council can justifiably, and the Mayor can justifiably, and the Controller can justifiably accept a pay increase when we suggested very strongly that various departments in the City, various employees, do not receive anything.

For that reason, I am making a motion that all elected officials, the Controller, the Mayor, and all members of Council, that their salary remain the same for 1986.

Mrs. Masloff seconded the motion.

Mr. Pollock:

I wanted to take strong exception and express my great dissatisfaction with the way in which this bill was presented to Council. It came through the Finance Committee; I don't think Mr. O'Malley drafted it but at no time, either in our Committee Meeting or in discussions, were we told that this was, in fact, a pay

raise for the elected officials. The language of the bill itself specifically excludes elected officials by referring only to officers and employees of the City of Pittsburgh.

In looking through the bill, it has a draft of the proposed '86 versus '85 appropriations on Exhibit 1, Page S-1, and the salaries for the elected officials remain the same. You have to look into the Appendix in the back under Exhibit 2, Page S-1, and it's there that you find that the salaries for the elected officials are being increased.

You know, you hear about these things being ramrodded through at all kinds of levels of federal, state and local government, and you wonder how they happen. If it weren't for Jack picking up on this, it might have happened here.

So, I would just like to express my great dissatisfaction with the way in which this legislation was drafted, with the manner in which it was put through the Committee. I'm not saying Mr. O'Malley was involved in this but, as I said, it's through his committee and I think that we should have been warned about this before it came up for a vote. A lot of us have asked about the pay raise issue and we're always told that we have to vote on it but we were never told that this legislation was the legislation that in fact we would be voting on.

So, I join Jack in his motion. I don't think a pay raise is due for any of us elected officials, including the City Controller and the Mayor. I urge all of us to defeat this legislation or to send it back to Committee and exclude the elected officials from the pay raise.

Mrs. Masloff:

As the only person who voted against a pay raise some three years ago,

I strongly urge that we vote against it again.

Mr. DePasquale:

Mr. President, correct me if I'm wrong. I believe this pay raise is mandatory. If I recall, one of the last parts of legislation that I took part in in City Council was when they had the great cry over the \$10,000 increase that was to go to the incoming Councilmembers and incumbents. I was not to be one of them but I voted for \$10,000. And then there was an amendment in the legislation put through that said that the Councilpeople, as Councilman Wagner brought out, would get an increase based on 50 percent of the increase to City employees. I understand that the increase to the firemen and police be construed as an increase to City employees and therefore mandatory two percent to Councilpersons.

If we were to turn this down now, and I'm not saying I'm greatly in favor of a pay raise, what's to stop somebody at next Council budget hearings wanting a \$5000 or \$10,000 increase again? We're saying we're not going to take what we've mandated yet what's to stop us from asking for a higher increase? It's almost automatic. I don't think you can entertain that motion.

The Chair:

Let me explain something. If you recall here a number of weeks ago there was some discussion on that particular item and I said that it was not in the budget at the time. Under law, we have to present that; it would be in the upcoming budget. In fact, Mr. Pollock, you made the statement, by law, you have to take it and give it back or do whatever you want with it. You made that statement to Ms. Madoff.

Mr. Pollock:

I thought that's what the law was.

The Chair:

I'm just saying, you made the statement. If I recall, this bill was introduced two weeks ago, and it was held over for another week so that everyone could look at it. Am I correct? Yes. Believe me, I know what I'm talking about.

I believe why no one discussed it on Wednesday and that's because every member of this Council go so tied up debating dog racing because that was the bill previous to this bill, if I recall.

I resent when someone says you tried to sneak something through or that no one had the chance to look at it or anything like that. I think that statement is not called for, Mr. Pollock.

Mr. Pollock:

It's my statement.

The Chair:

It's your statement but I think that perhaps you're saying that some other member of Council or somebody else tried to do that and I think that's uncalled for.

Mr. Pollock:

Well the language in the bill refers to officers and employees and we are in neither one of those categories.

The Chair:

If we're not an officer of the City, what are we?

Mr. Pollock:

We're elected officials. If you read the Home Rule Charter --

The Chair:

Let me tell you something, Mr. Pollock, I didn't read the whole thing either so I'm just as to blame as you and every other Councilmember here. But that's not my point.

Mr. Pollock:

It's my point, though.

The Chair:

Wait a minute. I have the floor and you're not going to debate me just like I'm not debating you. You'll let me finish and if you wish to say something, I will give you ample opportunity.

All I'm saying is that that reference that some member of this Council or some committee tried to run something through Council is completely uncalled for and you know it and every other member of this Council knows it.

Michelle Madoff:

I would like to get some clarification, if I may, and I want to speak for myself. A couple of weeks ago, and if you go back to the records, Mr. Woods, and take your statement to me, I think you were out of line. I came to this Council assuming, because I had spoken to you earlier about the pay raises and we talked about it just in general terms about I didn't need it but a lot of people here had families and we talked about things in general and I understood where you were coming from but in these times what were we going to do and we couldn't vote on it because there were no negotiations -- Excuse me,

the negotiations had not been completed with the fire and the police officers, and I assumed that by law we were automatically going to get a raise. So, I made a motion that we shouldn't get that raise. Is that correct? And you said no, I didn't understand -- go back and get the transcript and you'll see -- I didn't understand, we weren't getting it anyway and it was already taken care of.

If you look at the first page that Councilman Pollock pointed out to me, what you said is essentially right. We were not going to get it. But if you look on another page in the back, we're getting it.

Now, I think we ought to resubmit this to Committee and we ought to look at the issues that were presented today by Mr. Wagner and Mr. Pollock and anybody else, and certainly meet with our Finance Chairman.

This gets back to something I think needs to be said. Mr. Pollock comes on this Council and he's an attorney and he's gone out already in the short time he's been here, and negotiated some consent agreements between two parties and has been a great help to this Council. I've been trying to get legal counsel for this Council and I've been trying to get a fiscal advisor for this Council --

The Chair:

Michelle, if you don't address yourself to this bill and to this subject, I will rule you out of order.

Michelle Madoff:

On this subject. If we had a fiscal analyst, we wouldn't be in this embarrassing situation right now of not know what our own financial bill had buried within it. I've been trying to get that for eight years.

Mr. O'Malley:

I'm going to agree with Mr. Pollock on one issue, that this is not my legislation. These amendments were submitted by the Administration and sent over to Council. I think ramrod is a little too strong of a word. All Councilmembers had this piece of legislation a week ago Tuesday. At Wednesday's session, Mr. Wagner indicated that he didn't have enough time to review the amendments to the budget, that he would like to have another week. Every member of Council had this budget on their desk for eight days. Every member of Council had an abbreviated copy or version of this budget. At no time in the past eight days did Mr. Pollock come into my office or do I know that Mr. Pollock sat down with my staff, the budget staff, and asked any questions. So, I think ramrod is a little strong. I don't think anybody is trying to ramrod this through. Certainly, if there's a question that I have pertaining to anybody else's committee, I'll go in to that Councilman's office and sit down and express my concerns and have some dialogue on the issues. At no time did anybody try to ramrod this budget through. We had eight days to discuss it; I have a staff and the people are welcome to sit down and discuss it.

My opinion here is that fixing the number of officers and employees, the officers, as I see it, also pertain to the elected officials. As I see it, my definition of officers is elected officials.

So, nobody is trying to hide anything. Everybody has had eight days to review this budget and share any concerns they had with my staff or myself.

The Chair:

I'd like to add one thing. It's not

eight days, Mr. O'Malley; it's more like 20 or 22 days. It was introduced in Council February 7th.

Mr. O'Malley:

Well from the time I personally had this budget hand delivered to every Councilmember it was eight days, to my knowledge. It might have been 22 days since Mr. Perry had it hand delivered.

The Chair:

I'd just like to say one more thing. We on Council do not negotiate wages for anybody. We did not stress that anybody in this City do not take a pay raise; we as a Council did not do that because we have no right to do that. In fact, if you'll recall, we wanted to give our own employees pay raises of three percent in this new budget.

Mr. Wagner:

Mr. President and members of Council, if you recall back at that Committee Meeting, I made the motion to hold this bill for a purpose and the purpose was clearly that I didn't have time to look at it and review it. The bill was introduced in Council a week and a half prior to that but the meat of the bill, the actual amendments to be made, were not presented to Council until the Tuesday prior to the Wednesday meeting. The bill itself, the two paragraph statement, was in our hand a week and a half prior. I did take the time to review it. Mr. O'Malley, you indicated that no one came into your office. Well, I had to review this personally and I did personally and I think that's the responsibility of every member of Council to do that. The bill is in the Finance Committee; however, it's still of interest to me because I know there are departments that are in here that are Public Safety and obviously the City

Council department is of interest to me also.

I guess all I'm really trying to say is that this piece of legislation is much more in depth than you think it is until you dig into it and begin to look at it. I think it would be very embarrassing to this Council, to the Mayor and to the Controller, for this legislation to pass and for elected officials to have a two percent increase when half the City of Pittsburgh receives nothing.

For that reason, I strongly suggest that we amend it so it does not include that two percent increase.

The Chair:

No, there's a proper way we're going to have to do it; not amend, delete.

Mr. DePasquale:

Mr. President, my intentions are to go by the letter of the law. I want to tell you a little story to show you why I mean that.

Not too long ago when I returned to Council, it was debatable whether I could continue on pension to the City of Pittsburgh or not. I went to the Solicitor of the Pension Fund and I said, "Look, whatever the law calls for, I'll agree to it." I fully intended, if I was allowed to stay on pension, to donate that to some scholarship fund or what have you. I was told that as an official or officer of the City of Pittsburgh that I must be part of the Pension Fund and I must contribute to the Pension Fund; so, therefore, I froze my pension.

Now, here you have legislation mandating a two percent increase. I don't think we can vote aye or no on it; it's automatic. I would defer it to the Parliamentarian as to his opinion. I feel

that we have to receive that increase. Now, if we want to give it away or throw it away or whatever, donate it to charity, that's our business. But I don't think we can refuse to accept that increase or else we're going back to day one and someone's going to say they want a \$5000 or \$10,000 increase. I don't accept the two percent but I feel it's mandated.

Mr. Givens:

I have to agree with Jeep on this. We started with the idea that whatever the average City employee would receive that in fact we would then receive that particular increase or decrease, whichever the case might have been. I agreed with that because in the past it's been historical that Council has always been tougher on itself than it is any other employee within the City of Pittsburgh and that's commendable.

On the other hand, there was an inequity in this particular budget. We have not funded for the increases that are before us right now. That was supposed to be put into an escrow account and we never did that during the budget deliberations. If you can recall, I fought very hard to put extra money into the budget for these particular increases that we knew would probably come about. And they did come about. As has been indicated, better than half the City employees received a substantial raise while the municipal employees did not.

History kind of repeats itself. Eleven years ago when I got on this Council, the municipal employees, again, were not receiving what I felt was adequate compensation for the work they were doing, compared to other City employees. Over the years, we rectified that, and now we're going back into the same scenario where municipal employees, other than public safety, are

being downgraded for whatever level. I felt that was very unfair during the budget deliberation. I pleaded upon this Council to put certain monies in the budget to take care of that. That was not done; it was voted down. And here we are today now having to fund what binding arbitration and normal labor negotiations, hard labor negotiations, settled for in some of their labor agreements. But now we have, again, half of the people of the City of Pittsburgh not being compensated with anything. And, again, not to be repetitive, but to be repetitive, you must go according to the law. If we start messing around with what has already been put upon this Council because of, perceived by the citizens of the City of Pittsburgh, pay dragging out there, pay grabbing, then I submit to you that we leave this the way it is and let it fall the way it should, the way the law dictates.

It's been indicated that if we start messing around with this, then it's all in fairness and everything else. You can come back out and say give me a bigger increase when everyone else gets a bigger increase and for some reason, depending upon that magical formula, however it comes out, the Council of the City of Pittsburgh, Councilmembers, and other elected officials of the City of Pittsburgh, receive something less than what the law so dictates. You're getting into a most gray and serious area and I beg you to back off on it and leave the law dictate itself. If the law wants to be changed, then let's change the law. Let's not change each particular entity that happens each year within this Council. I think it would be very damaging to us both politically and I think it's also damaging to us just as individuals working with our City employees to make sure each and every one gets a fair deal and I don't think that happened, very sadly, over this last budget and it's the first time it has not happened in the 11

years that I have been here.

Mr. Pollocks:

Point of order, Mr. President. I think if we're talking about the law, we should at least all know what we're talking about. So, if you'll permit me, I'd like to read how the Home Rule Charter was amended so we all know what we're talking about.

"City Council has the right and in fact the power to fix by resolution the salary of all elected City officials but no elected City official shall receive a salary increase that exceeds the average percentage of increase in salaries and wages paid to all City employees as based on the previous year's salary. Further, the salary paid to elected City officers shall not be diminished during the term in office."

This means very clearly that we still have the right to set our own and the Mayor's and the City Controller's salaries. All the law says is that we cannot increase our salary greater than what the average increase is for all City employees. It does not mean that we get it automatically. It means that we can only get up to that amount but still set by us. I think that the Parliamentarian will confirm this if he's asked, but I think that if you want to continue discussion, we should at least all be discussing what is in fact the law.

Michelle Madoff:

Mr. Pollock, you're right on the button because when I introduced the bill a couple of weeks ago, I assumed that by law we were going to be forced to take it and I thought with the times the way they were, and I once did a very foolish thing and voted for a salary increase because I was pressured and I should never have voted for it, it was stupid and

I deserved everything that happened to me at that time, I thought we should set an example because of the times as a token that we would reject, and really, we're talking about peanuts, we're talking about \$676 for each Councilmember. But we would say that we are in sympathy with those who are not getting raises and most of the City raises were indeed frozen and that we wouldn't take our little \$676 in these tough times.

I understand where Mr. DePasquale and Mr. Givens are coming from because I was one of the victims of the "\$10,000 grabs" while the Mayor was giving \$10,000 increases to all his department heads. But the issue today is really not one of whether we're going to get the two percent increase which was mandated by law, I guess, and that whether we don't have to take it because we can set our own salaries as you just pointed out and say we don't want it. The issue is that I have a budget before me that on one page indicates we're not getting a raise and somewhere buried under many, many sheets of accounting is the indication that we are getting a raise.

I'm going to tell you, as a member of this Council, I am not a computer. On Monday and Wednesday of last week, we had sessions here. On Thursday, the Mayor called an emergency meeting which was requested by this Council on the Pirates. On Tuesday and Friday, we had meetings that started at 8:30 in the morning that were on the task force to bring new industry and tourism to this City. On Sunday, I was home, sick in bed with the flu and I was on the phone almost all day about a water leak down here in front of Chatham. I will tell you that I am not a fiscal expert but if I were in a position to be able to control the funds of this Council or if I were the Mayor or if I were the President of this

Council, you bet your tootsie I would see that there was a fiscal analyst on this Council who would go through all these bills and say, "When you're not here, I am an analyst, I'm a fiscal person and, hey, you better take a look, Michelle, while it's not on page one, it's on page fourteen."

Based on that information that has come to light, I would like the bill to be recommitted because I want to know whether it's just the two percent for us or whether there are any discrepancies other than that.

The Chair:

Wait a minute. So there's no bullcrap, here's what was handed out to every member of Council. Forget this, you just got this today. This is final resolution. The very first page you got, the very first page, ten days ago or whenever it was, the very first one, Members of Council, \$33,800 to \$34,476. The very first page. That's why we had them for a week. Now, if anyone can't read that, this is your worksheet and you were handed that, every member of this Council was handed that. That was it. Not in all this stuff, in this. And that's very plain to see and I know that we all know how to read our worksheets. So there's no one pushing anything through.

Mrs. Masloff:

One question, Mr. President. Can he delete from this bill Council's and the Mayor's and the Controller's pay raise and then pass the rest of the bill?

The Chair:

Yes you can.

Mrs. Masloff

Is a motion in order to delete our raises from this bill and go on with the rest of the bill?

Mr. Wagner:

That motion is already on the floor.

The Chair:

I think that's what Mr. Wagner has already done. Instead of amend, you have to use the word delete.

Mr. Pollock:

The worksheets, though, are not the legislation. The legislation is the resolution. The language of the resolution set pay raises for only City employees and City officers. We are none of those categories.

The Chair:

You know, Mr. Pollock, if you can't read what this says —

Mr. Pollock:

Absolutely, but that doesn't mean that we're voting on that because it's before us.

The Chair:

What comes before us if this isn't it?

Mr. Pollock:

What we vote on is the actual bill itself and the language of the bill did not get through to Councilmembers.

The Chair:

Mr. Pollock, I have never been so

right in my life as I am today. This was before you; you didn't care to look at it for a week and a half. That is a fact. And every other member of this Council did not care to look at this sheet for a week and a half. No one can say anything different. That was presented to us.

Mr. Pollock:

So you did look at it?

The Chair:

No one can say that we didn't have the opportunity —

Mr. Pollock:

Had you looked at it?

The Chair:

No, I didn't.

Mr. Pollock:

Oh, you didn't look at it.

The Chair:

But I'll tell you what, don't say that this isn't what was before us on a Wednesday and we didn't know what we were doing.

Michelle Madoff:

We didn't know what we were doing.

The Chair:

Because no one cared to take the time.

Michelle Madoff:

I don't think it was a matter of that

we didn't care to take the time. I asked the question in this Council, is this the budget as we've agreed to date, and I was told yes so I didn't take the time and I was extremely busy last week. That's why I need some back-up person in this Council as a fiscal analyst and I think it would be helpful to Mr. O'Malley. He won't be embarrassed.

Mr. O'Malley:

I understand the budget. I reviewed the whole budget and I understand the whole budget. Any member of Council was free to come into my room and ask any questions they might have.

Mr. Wagner:

I don't think we need a fiscal analyst. You're right, Mr. Woods, it's plain and clear and I don't need anyone's opinion to see what's happening here. I know what the Charter reads, Mr. Pollock just re-read it for us all, and we have the opportunity to take up to and equal the average. We do not have to take it and that's the reason for my amendment.

The Chair:

Jack, if you want to read the Charter properly, it says from the previous year; not what we budgeted for '86, it's from the previous year, '85. So, that would be 4some percent.

Anyway, we're going to call the question on the deletion.

Michelle Madoff:

We're deleting not only our salaries but everybody else's?

Mrs. Masloff:

Just the elected officials.

Mr. Grabowski:

Mr. President, point of order. I believe the rules state that any amendments have to be in writing. We got into this last week with Mr. Pollock's bill and that's why the issue was raised.

Mr. Wagner:

Not an amendment.

Mr. DePasquale:

That was a resolution, Steve; not an amendment.

The Chair:

We did discuss this, about how we would conduct ourselves by the Rules of Council. The Rules of Council say that all amendments must be in writing.

Michelle Madoff:

Or we can challenge it and make an exemption. I would like to move that we exempt it today with the concurrence of members of Council —

The Chair:

Let me make it easy for you. The Chair does not recommend the motion to delete because it was not an amendment in writing. Now you wish to challenge the Chair.

Michelle Madoff:

I wish to challenge the Chair.

Mr. Wagner seconded the motion.

Michelle Madoff:

Let's explain what that means. It means we can vote on it today.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Pollock
Mrs. Masloff	Mr. Wagner

AYES 4	NOES 5
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VOTING NO:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Woods
Mr. Grabowski	(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Mr. Pollock:

Mr. President, I make a motion to suspend the rules.

The Chair:

That's what he just did.

Mr. Pollock:

No, they're two separate motions.

The Chair:

I will not accept your motion.

Mr. Wagner:

Mr. President, I'd like to make a motion that this Council recess for ten minutes until I have time to put it in writing.

Mr. Pollock seconded the motion.

The Chair:

I don't accept that motion, Mr. Wagner. It should have been here before we discussed it; 24 hours ahead of time and 48 hours ahead of time. I don't accept that motion.

Michelle Madoff:

I had a motion —

The Chair:

Wait a minute. I'm trying to rule this thing properly.

If you would just make a motion to recommit the bill —

Michelle Madoff:

I said that 20 minutes ago. I made a motion to recommit the bill 20 minutes ago.

Mr. Pollock:

It doesn't require that it be 24 or 48 hours submitted, it just means that it has to be in writing. If you wanted to write it down right now and pass it out to all of us, that would be sufficient.

The Chair:

In writing, 24 hours and 48 hours. That's what we discussed. Rules of Council.

Mr. Pollock:

Not for amendments. Amendments don't come under that category.

Michelle Madoff:

My motion was to send it back to Committee.

Mr. Wagner:

Mr. President, I would like for you to bear with me on these amendments to the rules and Mr. Grabowski's original comment. I think the Parliamentarian can clarify that an amendment to the language can be done at the table.

The Chair:

I will ask the Parliamentarian.

Mr. Pollock:

If I can point something out, Vince, if you look at Paragraph A of Rule 8 —

The Chair:

Wait a minute. Let's get this back to order. We have one question. The next question anyone asks will be recognized and directed to me. We're getting way out of order. No, we have one question going now, Mr. Pollock, and we will wait until we have that answered and then I'll get yours answered.

Mr. Pollock:

This is on that question.

The Chair:

Just wait.

Parliamentarian:

You're talking about amendments?

The Chair:

Yes.

Parliamentarian:

All amendments opposing an ordinance or resolution shall be printed for the use of members before the final vote is taken on the bill.

The Chair:

Before the final vote is taken on the bill. We're in the process of taking a final vote so what do we do now?

Mr. Pollock:

He has a motion to recess.

Michelle Madoff:

And I second it.

The Chair:

And I don't accept it.

Now, Mr. Pollock, what is your question?

Mr. Pollock:

I was just saying that it does not have to be submitted 24 or 48 hours ahead of time. It can be done right here.

The Chair:

And I already ruled on that.

Mr. Pollock:

No, you referred it to him for a ruling. I don't think you make rulings like that, as much as you might like to. I think that's why we have him here.

The Chair:

And as much as you want to go by the rules of Council, you've been out of order I don't know how many different times today and how many times during this whole process for the last couple weeks. I'll ask you this one time; please stay in order because if you get out of order again, I'm going to fine you.

Now, is there any other discussion on this bill?

Mr. Wagner:

Mr. President and members of Council, I would simply request from the Chair that we delay vote on this bill for five minutes and move on the other legislation. I think that's a fair request.

Mr. Pollock seconded the motion.

The Chair:

I would ask you not to do that and I would ask my colleagues not to do that. I think we discussed this long enough so if we're going to keep discussing it, fine, let's discuss it and get it over with.

All in favor of voting on everything else and coming back to this, signify by saying aye.

Michelle Madoff:

I want you to clarify that. I'm sorry; I didn't hear what you just said.

The Chair:

Mr. Wagner made a motion and it was seconded by Mr. Pollock that we hold this legislation until we vote on the other legislation in the Finance Committee. I said if we haven't discussed everything, let's keep discussing it and vote on it. That's my

opinion; I'm asking you to vote against Mr. Wagner's motion.

Mr. Pollock:

On this motion. I think it should be said out very clearly what we're doing. If this motion by Mr. Wagner is defeated, then it's my understanding we will then go right into a vote on the bill as it stands without the deletion or amendment. Is that accurate?

The Chair:

Yes.

Mr. Pollock:

Alright, so, if that's the case, then you are then asking us to vote on a bill which would include in it a category of persons receiving a pay raise that I sense from the members of Council do not want to have included in that bill. So, you're forcing us to vote on the bill as it stands and either give us a pay raise along with all the other City employees or deny all the City employees a raise by desiring to withhold a raise for ourselves, which I don't think is fair, which I don't think the rest of us want to do. I don't think you want us to do that.

The Chair:

No, I am trying to ask you to keep discussing this bill.

Mr. Pollock:

That's what I'm talking about. I don't see why it's unreasonable to delete a category of persons that most of us do not want to vote on at this time.

Michelle Madoff:

I want you to explain something to us, if you will, and perhaps to our

audience. As I understand it right now, I moved to put the bill back in Committee and that was defeated earlier. Yes? Well, you never let me vote on it. Anyway, I made a motion and you never asked for a second; we never voted on it. There was a motion made to delete, or even prior to my motion, there was a motion made to delete the categories and we were told the body has to vote on this deletion, that no, we couldn't do it unless it was in writing 24 to 48 hours ahead. Is that correct? Then we voted to challenge the Chair so that we could vote on it today and that was defeated.

I'm trying to figure out how we can resolve this. I still think perhaps the best way is to take a five minute break, get our wits together so we don't look like boobs which is what I think we're looking like to the public right now. Everybody misunderstands what is happening; let's just talk to ourselves for a few minutes, or among ourselves, and come up with an answer to this problem because, very frankly, nobody, as you admitted yourself, looked at those figures because when I made the motion two weeks ago, I was told it wasn't necessary, that we weren't getting it anyway. I took your word; I never looked for it.

Mr. Givens:

Mr. President, everything we're going to discuss on this bill is going to be discussed right before us, right here, right now. I am not going to go into any caucus and talk about any bills before us because that's backroom politics and I resent that.

Furthermore, Mr. President, we have rules in this Council and it seems like every week they begin to change. I think you've tried to give some credence to our own Council rules and if Councilpeople at the last minute or

hour find that they haven't read their correspondence or haven't read or researched a bill, or haven't gone back to our Finance and try to come up and change government at the last second, that's not the way I want to operate. That's not the way the people of the City of Pittsburgh want us to operate and that's the way we're talking here right now. Discussion of the bill, the pros and cons for it and everything else, fine and dandy; but let's vote on the bill. You can vote yes or you can vote no. In fact, much of this bill, I don't think we can even vote on for one mere reason; we don't have any say so, as you indicated, Mr. President, on how people get a pay raise in this City. We don't get into the bargaining negotiations within the City of Pittsburgh. This is mandated to us by law. We're just fulfilling an official obligation by saying yes, to give sanction to it. Otherwise, our whole system of law and order and bargaining negotiations would just go right out the window and I think they'd have us all down the Allegheny County Jail very quickly. They might even put us in the new jail because it's nice.

The Chair:

Let me just say something. I think the reason Mr. Wagner wanted to take a five minute recess is so he could just put it all in writing and hand it out to go by the rules of Council. It wasn't to discuss it in any other place.

Michelle Madoff:

Excuse me. Would you please say that again because I heard you very clearly and I think it bears repeating.

The Chair:

The next person I rule out of order will be fined.

The reason Mr. Wagner wanted to have the recess is not to discuss the bill; it was so that he could put his deletion in writing.

Mr. DePasquale:

Mr. President, if I may, let Mr. Wagner have his five or ten minutes, whatever, to put it in writing. We have members of the family of the late Sarah Madigan here and they've been here quite a while. So, while Mr. Wagner is putting this in writing, I wonder if we could read Resolution 180 honoring Mrs. Sarah Madigan.

I would like to also say that on this resolution, I didn't know it was coming up and I'm very happy and proud to have known Sarah; I knew her all my life. I just see four names on here and I think that it should be unanimous, that every member of Council should be on this resolution.

The Chair:

Mr. DePasquale, I can't honor that until we dispose of this business. I'm sorry.

Mr. Pollock:

I think that the time is not necessary now; Mr. Wagner has been able to submit his motion in writing to all of us. I think the motion he made is now timely and we can vote on his motion to amend, which has been made and seconded.

The Chair:

No.

Mr. Pollock:

What do you mean no?

Mr. Wagner:

Mr. President, according to our Parliamentarian, the motion is now in writing. I've passed out a copy to all of you and I would hope that it is appropriate and that we could vote on it because it has met the rules of Council.

The Chair:

I don't feel that it has met the rules of Council. It says prior to final action; that meant before we got into all this lengthy discussion. Now, we can stand here and circumvent rules all day long. This part of it I'm not going to debate anymore. You've challenged the Chair; the Chair was upheld.

Michelle Madoff:

Where are we now, Mr. Woods?

The Chair:

I don't know. Please, let's try to go by some kind of rules.

Mr. Pollock:

Well, if we're going to go by the Council rules, I would like to have the Parliamentarian state whether or not we can now vote on the motion to delete since it has been submitted to each of us in writing.

Parliamentarian:

I can only state Council's rules. I can only give advice to the Chair but he doesn't have to follow it.

Mr. Pollock:

What is your advice?

The Chair:

Will you let me run this meeting?
Or at least try?

After we got into discussion on final action, now comes the deletion. Is that proper, yes or no?

Parliamentarian:

Your rule says all amendments may go in the bill proposed. The Ordinance or Resolution shall be printed for the use of members before the final vote is taken. It would appear to be in order.

The Chair:

You say that it would appear to be in order. Okay, now without discussion, we're going to take a vote on the deletion.

Michelle Madoff:

Excuse me, sir, on the deletion; to delete the three segments which are the Controller, Mayor and City Council?

The Chair:

Yes.

Michelle Madoff:

Now I think we all understand it. Let's vote.

Mr. Grabowski:

Mr. President, regarding Councilman Wagner's motion, I don't believe that it's in order. The amendment should have been drafted by our Budget department. You may recall last year or two years ago, whenever it was that I included the five tow truck drivers, I had to adjust the entire budget, all the facts and figures, accordingly so

that the budget would balance. Just by merely putting this language together at the last minute does not meet that criteria and I suggest we don't even entertain this.

Michelle Madoff:

Mr. Chairman, may I address you? The Parliamentarian has ruled that it is in order. I don't think that anybody is going to object to having more money in the budget, if it passes that way. We haven't changed anything if it doesn't pass. So, I don't think that becomes an issue, with all due respect.

Mr. Pollock:

The Parliamentarian ruled it in order. You started to call for the vote without any discussion and so I would determine that because you ruled to take a vote that you too have affirmed that Parliamentarian that it's time for the vote.

The Chair:

We have another problem. The budget must be balanced.

I'll tell you what. Why doesn't someone make it easy and make a motion to recommit —

Michelle Madoff:

I did that a half hour ago.

Could we please recommit this bill?

Mr. O'Malley:

The entire bill?

Michelle Madoff:

Yes, the whole ball of wax.

The Chair:

Is there a second?

Mr. Pollock:

You have a motion on the floor.

The Chair:

Okay, there's a motion on the floor. Call the question. You're right, Mr. Pollock.

Mr. DePasquale:

We've voting on Mr. Wagner's motion to delete, right? Okay.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Pollock
Mrs. Masloff	Mr. Wagner

AYES 4	NOES 5
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VOTING NO:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Woods
Mr. Grabowski	(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

On the bill itself.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Woods
Mr. Grabowski	(Pres't)

AYES 5 NOES 4

VOTING NO:

Michelle Madoff	Mr. Pollock
Mrs. Masloff	Mr. Wagner

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 453

Report of the Committee on Public Works for March 5, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 300

A Resolution entitled, "Resolution vacating the Southern 30' feet of Mary Street from 23rd Street to 26th Street in the 16th Ward, City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Pollock presented

Bill No. 454

Report of the Committee on Planning, Housing and Development for March 5, 1986 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 313

A Resolution entitled, "Resolution amending Resolution No. 82, effective August 23, 1985, entitled: 'Providing for an Agreement or Agreements with Bidwell, Inc. located at R. J. Casey Industrial Park, Columbus and Preble Avenues, for the City's share in the construction of a facility to be used for the organization's offices and their

vocational training program,' by specifying the uses to which the City's funds will be applied'."

Which was read.

Also,

Bill No. 314

A Resolution entitled, "Resolution amending Resolution No. 793, effective August 23, 1985, entitled: 'Providing for an Agreement or Agreements with the Mt. Washington Children's Center for the purchase of a building to establish a day-care center for low income and moderate income families, a cost not to exceed \$50,000.00,' by specifying the uses to which the City's funds will be applied."

Which was read.

Also,

Bill No. 317

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979, as previously amended by Resolution Nos. 504, 635 and 1065 of 1980; by Resolution Nos. 316, 797, 1201, and 1419 of 1981; by Resolution No. 416 of 1982; by Resolution Nos. 889 and 1134 of 1983; by Resolution No. 150 of 1984; and by Resolution No. 101 of 1986, entitled: 'Providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1980 Community Development Block Grant Program', by decreasing the Bloomfield Bridge line item and increasing the East Liberty Mall Project line item and several others."

Which was read.

Also,

Bill No. 318

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and T.A. Anderson for the sale of Block 23-L Lot 151 in the 22nd Ward of the City of Pittsburgh (RESALE FOR REHABILITATION)."

Which was read.

Also,

Bill No. 319

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Calvin D. and Virginia A. Smiley for the sale of Block 26-J Lots 228 and 230 in the 5th Ward of the City of Pittsburgh (SINGLE FAMILY HOUSE)."

Which was read.

Also,

Bill No. 320

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Calvin L. and Gloria J. Sheffield for the sale of Parcel 226-B in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27 (CONSTRUCTION OF SINGLE FAMILY HOUSE AND LANDSCAPING)."

Which was read.

Also,

Bill No. 321

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Frey Development for the sale of various properties in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27 (RESALE FOR REHABILITATION, PARKING & SIDEYARDS)."

Which was read.

Also,

Bill No. 322

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Darrell L. and Terri Lynn Brown for the sale of Block 15R Lot 73 in the 18th Ward of the City of Pittsburgh (SIDEYARD)."

Which was read.

Also,

Bill No. 115

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 10 by changing: From "M2" Limited Industrial District to "C3" Commerical District certain property located on the northerly side of BUTLER STREET between McCANDLESS STREET and FIFTY-FOURTH STREET, 10th Ward."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 395

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants to conduct an Aerial Tramway Feasibility Study at a cost not to exceed \$50,000.00."

Which was read.

Mr. Wagner:

Mr. President, I'd like my comments brought forward for the record from last Wednesday's meeting on Bill No. 395 which pertains to aerial tramways.

Mr. Givens:

Mr. President, I would also like to have my remarks brought forward.

**(BEGINNING - MR. WAGNER'S AND
MR. GIVENS' REMARKS ON BILL NO.
395 - WEDNESDAY, 3/5/86)**

Mr. Givens:

Well, this is a feasibility study for \$50,000 and I read the newspaper article to possibly get into a \$10 million purchase on different aerial tramway feasibility. I don't know a thing about it and I would like to be briefed on it before I make comment. Otherwise, my recommendation would be to hold it for one week until the Planning Department can come up and speak to some of us on it because I don't know too much about this particular bill.

Mr. Wagner:

Hopefully, I can answer some of the questions that Council may have in regard to this legislation. I have been working on it for about six months and the Mayor has supported it and Director Lurcott has supported it. There has been discussions in the City of Pittsburgh for probably the last five to ten years about looking at an aerial tramway system to see whether or not it would be applicable in our City.

The reason behind that is basically our City has very difficult terrain over short distances meaning particularly our rivers. In order to get from one side of the river to the other side of the river, it is very costly in terms of building bridges, building people mover systems which this Council has talked about at length. What this study is is nothing more than another alternative way of looking at a form of transportation that has been in existence literally for hundreds of years. An aerial tramway is nothing more than an elevator in a horizontal position rather than a vertical position. What could it do for Pittsburgh? Well, hopefully that's what

the study will determine. It could hopefully solve the transportation need meaning crossing of our river between critical points such as the Stadium and the Downtown area or possibly Station Square and the Downtown or possibly from the base of the Duquesne Incline over to Three Rivers Stadium or any other potential area such as Civic Arena to Downtown, Convention Center to the Point, wherever. This proposed study can look at any of those locations; three locations have been identified so far. The other potential impact is to stimulate development; we all know we haven't had development in certain areas such as the North Shore like we want to have it. If you solve a transportation problem, you can stimulate the development. It could also in of itself be a tourist attraction. An aerial tramway is a very exciting form of transportation; the only way there is only one actually in existence for transportation purposes on in America, it is on Roosevelt Island in New York. The other forms of aerial tramways are at various resorts such as Disney World and also ski resorts. They vary in capacity from carrying anywhere from four in a car to 120 in a car. They can carry up to 4000 people in one direction. There is a slide up of one that was in operation at the World's Fair and that is in the City of New Orleans.

The real advantages of an aerial tramway in comparison to other forms of transportation are, number one and foremost, cost. Cost has been stated for the City of Pittsburgh, what would it cost to build one from say the Hilton across the Stadium? The projected figure would be \$2.5 million which is approximately one eighth or one ninth of what a people mover would cost. Construction time is approximately one third, one construction season, it can be built. Aerial tramways are extremely safe; the safest form of transportation in the world is the elevator and an aerial

tramway is nothing more than elevator. Statistics proved that.

In regard to this study various private concerns in the City have requested that the City participate or to finance a consultant study to see whether or not it would be applicable. Those interested are the people at Station Square, Pittsburgh History and Landmarks, the people in Mount Washington, the Duquesne Incline people, the owners of the ball teams, the Steelers and the Pirates, the Pittsburgh Convention and Tourist Bureau, the Golden Triangle Association, Jack Kahn is very interested in seeing a study of this type, the Allegheny Conference, and many other important groups. The reason behind it is all of those people feel, all those groups feel that something like this may be such — may have such a significant impact that it could almost have the impact that the cablecars had in San Francisco with this in Pittsburgh. It would not be operated by the City as proposed. All forms of transportation come under the jurisdiction of the Port Authority. The Port Authority must relinquish any operating responsibility if anyone else were to operate it. The intention were if this were to move forward, is for it to be privately financed by possibly owners of Station Square, people that own property on the North Shore and possibly in the Downtown. There has been extreme difficulty in terms of getting private financing for the people mover system; that was the intention of City government going back a couple of years ago, we have not found anyone to come up with \$15 or \$20 million to build a people mover across the river. The thought is that it more likely that private funding is available in the area is \$2-3 million for something like this. What this is basically is simply a study to determine if it is applicable in Pittsburgh to determine whether or not the design, engineering the economics fit

into Pittsburgh.

There has been about four, five months ago when former Councilman Robinson sat in the meeting as Chairman of Planning, Housing and Development, a presentation put on by a private consultant to all of those that I indicated plus others at Station Square describing what this system could do for Pittsburgh. If this Council desires, I think it is possible to get that consultant to come free of charge to put on the same presentation here in Council Chambers during a meeting, during a post agenda or even during a public hearing. So, if there are any questions that I have not answered, I am sure they could be answered, I am sure they could be answered with people that work full-time in this profession.

Mr. Givens:

My original emphasis of before I spend \$50,000 I want to be sure of what this feasibility study meant and some of that was described. However, I feel Pittsburgh is now like New York, Pittsburgh is Pittsburgh. We worked for about 25-30 years to get a skyline on our rivers and our Downtown area. I mean, we have openness, we tore down bridges and everything else just from the exact point that I can see right there so we'd have a beautiful Point State Park, an openness, people riding on the rivers. It gives a certain advantage and you have to be on the river to find out. Now we are going to put a car system, the river system itself.

These are just some of my concerns. In the City of Pittsburgh I can walk anyplace in the Golden Triangle in 20 minutes and depending upon where I am at, I can walk right from here over to the Market Square in 15 minutes. So why do I or anyone else that is in the Downtown Pittsburgh need this type of

thing. These are just some of the questions that just perked right into my mind immediately and I want to digest them before I vote on the thing. That is why I had asked the author of this particular bill, be it the Administration or not, to give us a little thought and a little bit more in-depth briefing and get some information back so we can digest that. Some of the points that Jim O'Malley brought up are very, some of the great problems that we have and it is just not insurance on that particular thing and I can go anywhere in the City of Pittsburgh right now and tell you that people are having a hard time getting insurance and tell you that people are having a hard time getting insurance for their own buildings because of the risk involved and someplace, somewhere, government is going to have to step in because the insurance industry is giving it to everybody right now, so why go forward with anything until we get those things settled first? Please, just hold it until we get some of those facts back and see where we stand.

I am sure you have done a lot of work, Jack has done a lot of work, and everyone else has done a lot of work. This bill came in Monday, this is the first time I am viewing it and I had one day and I read one article in the newspaper. I am not going to act that quick.

Mr. Wagner:

Members of Council, the diagram behind you, Councilwoman Sophie Masloff indicated what are the proposed sites to look at and three have been suggested so far. They have been suggested basically by people that represent organizations in Pittsburgh. The first is the actual one that everyone is most concerned with is Downtown to Three Rivers Stadium. The second one is Station Square to Downtown and the third is Duquesne Incline to Three Rivers

Stadium. Now that can be expanded upon. There is nothing to say that if this were expected in the City that three locations, four or five would be excepted, maybe only one would be excepted, but this study wants to take a look at whether or not they would be applicable at least in those three locations or possibly others.

Some of the concerns that all of you have mentioned, I think are very genuine. One point made by Councilman Givens in regard to the aesthetics there is no transportation system in existence unless you go under the river with the subway that does not harm the environment anymore than tramways. If you cross the river with the tramway, all you have is a cable, that's all that goes across the river is the cable. You never have to put an abutment in the river. All you do is anchor it at both sides of the river and all you see is a cable. It does not break the aesthetics, it does not harm the aesthetics. As a matter of fact, those riding it will probably get the best view that anyone could ever see of the City on an aerial tramway.

The one final point I would like to make is in regard to the Stadium. This is the only transportation system that can be funded and built within a five year time span that we have given to keep professional baseball in Pittsburgh. One of the number one problems at Three Rivers Stadium is excessibility. This system could be built and in operation at Three Rivers Stadium within two years. A people mover system with the price tag of in excess of \$20 million to build a bridge across the river, it's not realistic to think that that could be built in less than four or five years. So this is one of the reasons why I think looking at this system is very practical to Pittsburgh and very practical to Three Rivers and I would just like to note that if the majority of you want to hold the

legislation, we could bring in a consultant that could put on a presentation within the next week and answer any and all questions in regard to it.

Mr. Givens:

One thing, in and around the Stadium and everything, we know that I-279 is coming in there and hopefully we are going to build the parking garage so the Stadium is going to be solved. I have a hard time when people can't walk a ten, fifteen minute walk in Downtown Pittsburgh and we have to build them a tramway to go over our rivers. We are noted for the City of Bridges. If you look at the Northside, we have three, four bridges going over there right now. You can come out anyplace you want to, just in case you want to park Downtown Pittsburgh. I think by the time the new I-279 is completed, by the time the new parking lot is put in over there and there is one other thing. I heard public money, private money, et cetera, and I have to go back, everything is Downtown Pittsburgh. I want to see directions into our neighborhoods right now. I am up there in that Bloomfield/Garfield area and we are hanging on by our fingernails and I don't see that amount of money going into our neighborhoods in the Southside, West End, Northside, and all over the City of Pittsburgh. And as a result, any money that comes in here and our money is going to be damn tight and we know that, I want to see it go into our businesses within our neighborhoods because if we can't give a viable good business, restaurants included, in our neighborhoods and I have to say we are not doing our jobs here in Council, so anything new that comes across here, it is going to have to be held up against all the other requirements that we have in our neighborhoods and if it can't be justified for the expenditure of \$10 or \$20 million, this Councilman can't go

forth.

(END OF REMARKS)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 7 NOES 1

(MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 455

Report of the Committee on Parks and Recreation for March 5, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 302

A Resolution entitled, "Resolution amending Resolution No. 60, approved February 6, 1986, entitled: 'Providing

for an Agreement or Agreements with The Western Pennsylvania Conservancy for the furnishing of professional services for the benefit of the City residents of the City of Pittsburgh during 1986, and providing for the payment of the cost which is not to exceed \$5,000.00 and is chargeable to and payable from Code Account 1838 (183806) Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation, by increasing the authorized amount from \$5,000.00 to \$8,000.00." --
-(SPONSORED BY MR. GRABOWSKI)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 456

Report of the Committee on Public Safety for March 5, 1986 transmitting one ordinance and two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 324

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Seven - Business Licensing, Article IX - Amusement Businesses, Chapter 777 - Mechanical Amusement Devices, by requiring that a business establishment with mechanical/electronic amusement devices on the premises must obtain a license for such mechanical/electronic amusement devices."

Which was read.

Mr. DePasquale:

In regards to Bill 324, I can't help but feel that this is an added burden to the owners of establishments that have these licensed machines. The very fact that they are licensed now, I just think they're muddying a situation further by saying that the establishments should also have a license and they should put a license on the machine. They're saying they're going to come after the owner of the machine, not the establishment, unless they can't find the owner of the machine. If they're paying that license, and most of the machines are licensed, it's up to the certain department, Building Inspection, what have you, to see that they're all licensed and they collect for all those licenses. I don't think an added burden should be put on the establishment.

Michelle Madoff:

With all due respect to my colleague, I think we ought to clarify that. What we're doing is simplifying it for the people who have the machines in their establishment. No longer do they

have to be fined because somebody removed a sticker, it's underneath, and they have to account for when a machine has been moved out because someone is bored and they swapped the machine. All they have to account for is what they paid for, four machines. We don't care what those four machines are, and it simplifies it and takes the burden off the owner who got the machines and the machines aren't licensed by the vendors in any case. It's never the person who's got the machines in the place. It's really just a bookkeeping simplification that will save the City hundreds and hundreds of dollars.

Mr. Pollock:

Mr. President, I would like to have all of the discussion involving Mr. Imhoff at the Committee Meeting brought forward and included in the Minutes.

(BEGINNING - DISCUSSION INVOLVING MR. IMHOFF ON BILL NO. 324 - WEDNESDAY, 3/5/86)

The Chair:

I would like to have Paul Imhoff come up to the table. If I am correct on this piece of legislation, Jack, what Mr. Imhoff is asking is not permission for the owners of the establishment to license the individual machines, but the owners of the establishment to license the number of machines permitted in that establishment; in other words, this would eliminate stickering each individual machine with a number that would enable you to issue a license for Joe's Bar and Grill for five machines, am I correct, Mr. Imhoff?

Mr. Imhoff:

That is correct. It doesn't change the responsibility in any way. What it does is the right now with the sticker

problem that we have, they are hard to keep control of and that was the complaint of the audit in our office and the accusations that were made that we weren't raising the proper amount of money and that is hard to do. This gives us a better inspection process. The burden today is on either the owner of that store or the vendor who has the machines and it isn't changing under the new system. The new system is just to take the stickers off of the new machines individual machines where we have a difficult time keeping track of and putting a sticker on the business place and that could be either the owner of the business or the vendor buying the sticker and putting on the business place; it will enable our Inspector to go in and see a sticker that says X number of machines, we don't have to worry about numbers, we can just go in and count and then we have a problem then.

The Chair:

Would this piece of legislation make it easier to transfer or to move one machine from one place to another place?

Mr. Imhoff:

There would be restrictions on moving the machines around.

The Chair:

What is the restriction we have now?

Mr. Imhoff:

There is no restriction on that now; there is a restriction to a sense that we get the serial number of the machine, the vendor location and whenever the audit is done and if that machine isn't there, they are saying we are not collecting the fee, but that machine is

still someplace else in operation and another one has just taken its place and its just that we haven't got the renewal sticker on there.

Michelle Madoff:

It seems to me that this is what I suggested originally and was voted down and we come full cycle and the only logical way to proceed; you shouldn't have to do all the paperwork and all the extra inspection and crawl under the machine and look at the back and cross — when you go in you just go in and count and it makes it easier for you and saves the taxpayers a lot of money and we get our money and you are to be commended for finally perhaps winning this Council over.

Mr. Pollock:

Can you give me a ballpark figure as to about how many different establishments would be effected by this?

Mr. Imhoff:

About five or six hundred.

Mr. Pollock:

And this would be one annual permit that they would buy at the beginning of the year for upj to a certain number of machines and then if they wanted to go past that, they can come back in and get an additional zoning?

Mr. Imhoff:

Yes, the Zoning Ordinance controls whether it's an arcade or whether it is just a place with a couple of machines in it and the number is five; so if you go over five, you can take it out for any number that you want, we really don't care then it's an arcade anyhow and we

collect another fee for that, but the people that have the small shaop with one, two, three machines instead of buying stickers, they will just buy one sticker and it will say three machines. If the Inspector goes in and sees four, we know we got an extra machine that wasn't paid for. If he says two, we don't care because he paid for three.

Mr. DePasquale:

Paul, a few times and perhaps I don't follow you, but if there are four machines in a regular bar or restaurant or whatever, and the owner of the machines has a sticker or lincese for each one, what else is required? You are saying the owner has to do what?

Mr. Imhoff:

Today there is a sticker required for each machines and it's got to gave the serial number and everything on it. The problem with that is they get picked off the machine by the kids who play them they get put underneath the machine, they get put on the back of the machine. When the audit was done last year, the accusation was made on an audit that they did that we were not collecting the proper amounts of money and we challanged that opinion; we put our people back out the second time and went around, we had a sheet for every machine in the City at that time and I guaranteed at that time that the figure could change the next day because they moved the machines around so much. So it is difficult to keep track of where they are moving the machines to. The sticker on each machine — some of hte vendors would come in and get a stack of stickers like five and they would put them in a cash register drawer rather than put them on any until something comes up we would go out and find that they didn't have anything on the machine.

Mr. DePasquale:

The average small bars today are getting racked with all kinds of stickers and inspections and here we go again, we hit them again.

Mr. Imhoff:

They are doing it now; we already make them but stickers and we charge them \$135.00 per machine.

Mr. DePasquale:

The owner of the establishment even though he is just renting the machine?

Mr. Imhoff:

In some cases it might be the owner, but in most cases it is the vendors, the people who supply the machines and we are not changing the price structure although we have a lot of the vendors are in support of it. I have to be very honest about it, a lot of them don't like the price structure that we have, but they are in favor of the one sticker.

Mr. Givens:

I own a bar, cocktail lounge or something like that, and I have four machiens in there; but hte four machines are pinball, jukebox, one of these computer type new hi-tech playgame and of course of these to know that we note the new games that they have on there, the poker games that they have on there, is a high drawing card. If I am that owner and I have three or four different types of machines in there and I have my permit that says I have these three or four different machines and I change — I still keep my four machiens, but the combination, now I have two playing machines, games versus maybe a pinball

machine, how then can you in collecting the taxes becaue the taxes do vary I believe on each of those machiens. When does that owner then have to go Downtown and refile?

Mr. Imhoff:

You are talking one machines converted into —

Mr. Givens:

Converted into something that they did not have previously?

Mr. Imhoff:

We have not attacked that problem yet; that's a different problem altogether. There are certain line ups in there that if you change a chip or something in there and it changes the whole game; we have just been charging the one fee for the machines.

Mr. Givens:

Do the machines vary as far as your taxes, is it not? Does the City get the same amount of tax off of a pinball —

Mr. Imhoff:

The machines are the same, the same price on each machine.

Mr. Givens:

The City gets the same whether it's a pinball machine or some type of poker game?

Mr. Imhoff:

The only machine that has a different price right now is the jukebox, they are \$85.00.

Mr. Givens:

All other machines --

Mr. Imhoff:

All other machines are \$135.00 apiece.

Mr. Givens:

That's not bad. If I have a machine that is making \$1,000.00 and I have a machine that is making \$300.00, then I am going to get rid of the \$300.00 machine.

Mr. Imhoff:

That's exactly what they will be able to do. They will be able to take the machines out that don't bring in the money and bring in a machine that does bring in the money.

Mr. Givens:

I think then we should look at a different tax structure because taxation should be based upon profit and if they are making a great profit then I think we should try to -- this is just a technical point that I wondered if this particular ordinance addressed.

Mr. Pollock:

How many different licenses do your people have to check? I know that you get involved with the arcade licenses, the antique licenses, how many different ones are there and if you know and you feel you have enough personnel to enforce all the different ordinances that require licenses in different types of establishments?

Mr. Imhoff:

The way it is done right now is all

our inspectors handle -- we don't have any particular inspector that handles different licenses. If we have a license that is due, we send all of our inspectors that are in different territories to go through the establishment and check them. And the number of licenses?

Mr. Pollock:

Different types.

Mr. Imhoff:

There must be 20 of them, not as much as 500 or 600 establishments; some of them are stationary engineers which are done as a matter of mailing and it's just a matter of they mail it in and we mail out the license.

Mr. Pollock:

Our Code provides for approximately 20 different licenses?

Mr. Imhoff:

Yes. When I get down there, I will send you a copy of what we do license.

Mr. Wagner:

Mr. Imhoff, under this proposed legislation if one of your people go into a business and find a license is not present, who is fined?

Mr. Imhoff:

It could be either the owner or the vendor of the machine.

Mr. Wagner:

Who would it probably be?

Mr. Imhoff:

In cases we have done so far, it has

been the vendor. I don't see that that would change.

Mr. Wagner:

Then why does it indicate that it is the responsibility of the business establishment who much obtain a license for such mechanical electronic amusement equipment? That is stated right in the legislation.

Mr. Imhoff:

It doesn't mention a vendor?

Mr. Wagner:

No.

The Chair:

That could be amended if you would like to amend it, the owner/vendor.

Mr. Imhoff:

The owner of each device shall properly display a decal of their company name --

Mr. Perry:

What section is that?

Mr. Wagner:

It's in the body of the bill.

Mr. Imhoff:

Under 777.06(a) under Responsibility. It says the responsibility to insure each premise containing such devices, license shall be joint inseparable where the owner of the premises or the proprietor of the business establishment fails to acquire the proper license, the owner of the device shall bear the

responsibility to either acquire the proper license or remove the device. So it is either one or the other, it's the same way the seals are today.

Mr. Wagner:

Which is it, I mean if one of your people -- if this legislation is effective, the way I read the legislation it says that the business owner must obtain a license. Who would be fined and how much would they be fined?

Mr. Imhoff:

The fine is \$300.00?

Mr. Wagner:

\$300.00?

Mr. Imhoff:

Yes, and the wording hasn't changed at all in that paragraph of responsibility and today we have had all the vendors in before the Housing Court Magistrate, not the owners of the property.

Mr. Wagner:

Well, in the future, would you have the owners of the property in?

Mr. Imhoff:

Only if we can't find the vendor.

Mr. Wagner:

Well, isn't the purpose of this legislation to put more responsibility on the licensing of the machine on the business owner and not the vendor?

Mr. Imhoff:

Yes, and the problem that we have

had with that is the vendor up to this time have been very difficult to track and we have had difficulty bringing them into court. They are hidden in various ways the ownerships of various machines.

Mr. Wagner:

Why don't we then initiate legislation to require proper identification on any and all machines by the owners of the machines or else they are fined?

Mr. Imhoff:

We have that now and still we have had problems with it. They have to identify their machines right now and under this they would still have to identify them as being the owner, mailing address. We have a few people that really cause us all kinds of problems with the machine. In fact, Mr. Bruce is being sued for how many thousands of dollars by one of the vendors now.

Mr. Wagner:

For what purpose?

Mr. Imhoff:

For harassment, he says because he made him come in and take out stickers for all of these machines.

Mr. Wagner:

Who would be fined under this proposed legislation?

Mr. Imhoff:

Under this proposal right here, we would go after the vendor.

Mr. Wagner:

But if you still couldn't find the

vendor, who are you going to fine?

Mr. Imhoff:

If we can't find the vendor then we would ask the owner to remove the machine and if they didn't do it, then we would go after the owner.

Mr. Wagner:

So, if you are having problems now finding out who the vendors are and consequently the business owner would be fined?

Mr. Imhoff:

If we couldn't get the machines taken care of by the vendor, yes.

Mr. Wagner:

Well, now without this law, you cannot fine the business owner?

Mr. Imhoff:

Yes, we still can.

Mr. Wagner:

Have you?

Mr. Imhoff:

The way it is now, no.

Mr. Wagner:

Why not?

Mr. Imhoff:

Very few times, well for the same reason that you are saying, the vendors have put these machines in there and if we can catch them, we are going to go after them and the owner would be the last resort; the same as any other

violations we have. The code always states it is the owner/tenant, owner/occupant or the agent of them and we try to go after whoever is responsible.

Mr. Wagner:

Does your information indicate that the majority of the large vendors are not City residents? Do not the businesses in the City, they are located outside the City?

Mr. Imhoff:

Some of the ones we had the most problem with have been outside the City.

Mr. Wagner:

Again, I appeal to Council, I think the responsibility is on the owner of the equipment and in far majority of instances, those owners don't even have businesses in the City and we are placing the responsibility now on the business within the City that has been loaned the equipment of someone else and that's the way I read the legislation.

Mr. Pollock:

Let me see if I am interrupting the same thing, Paul. If one of your inspectors comes into an establishment and the person had a sticker for three and there are four machines there, so there is one machine that is not licensed, you will issue a fine to the vendor?

Mr. Imhoff:

That's correct.

Mr. Pollock:

If you are unable to fine the vendor, you will say to the owner get that machine out of there. Now the

vendor is going to be coming around to empty the machines for money so the owner of the establishment has to have contact with the vendor and the next time the vendor comes in, the owner is going to say look, I have been fined or I am going to be fined and you have to get this machine out of here. If you don't take it out now, I am going to put it out on the street because I am going to be fined and I don't want to go Downtown and get a \$300 fine or whatever it is. Is that the right fact situation?

Mr. Imhoff:

Yes. What has happened before is a few of the vendors have had multiple companies and you go to the owner of the establishment and say your machines are illegal you don't have a sticker on them, who did you get your machine from? They will give you name that this fellow has a dummy company of some sort that you can never find and then we have a difficult time trying to find out who owns the machine. Quite frankly, one of the gentlemen has really had us round and round for months and Joe James has, I forget how many lawsuits that we filed down there against the vendors. Joe wants a resolution of it too because he can't get anymore — any further ahead than we have with the resolution that we have now.

Mr. Pollock:

But the point is the only one who has contact is the actual store owner because they do come in and empty the machines for money.

Mr. Imhoff:

As a last resort, that is the person that we would go to but we would go after the vendor and try to get him as much as we can, the same as we do now.

Mr. Pollock:

But if the owner is looking at a fine, he is going to say get that machine out of here, right?

Mr. Imhoff:

It has happened.

(END OF REMARKS)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 5 NOES 2

(MR. DEPASQUALE AND MR. GIVENS VOTING NO)

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 326

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Salvation Army for professional services in conjunction with the Public Inebriate Program; and providing for the payment of the cost

thereof."

Which was read.

Also,

Bill No. 327

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Addison Terrace Learning Center in connection with their Pre-Teen Drug and Alcohol Prevention Program and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. DePasquale presented

Bill No. 457

Report of the Committee on Engineering and Construction for March 5, 1986 transmitting sundry resolutions to

Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 293

A Resolution entitled, "Resolution amending Resolution No. 17, effective January 19, 1979, entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants, for Professional Engineering Services in connection with the inspection of Baum Boulevard Bridge, PW 78-09 and PW 76-39; and providing for the payment of costs thereof,' by amending the title to include the design of the Baum Boulevard Bridge, providing for a Supplemental Agreement or Agreements, and by increasing the total project allocation by \$20,000.00."

Which was read.

Also,

Bill No. 294

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for the Renovation of Various Playgrounds, including but not limited to East Carnegie, Philips Park Courts, and Garland Courts; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 295

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Renovation of Turfed Areas and

Ballfields, including but not limited to Arlington and Whitman; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 296

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Renovation of the Schenley Tennis Courts; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 297

Resolution providing for a Contract or Contracts, or use of existing Contracts for Construction of Phase 4.0: Tropical Forest Facility of the Pittsburgh Zoo; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 298

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Replacement of Windows at Fire Stations No. 10, 12, 13 and 14 and Police Station No. 4; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 299

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for the Renovation of Senior Citizens Centers, including but not limited to Cowley and Perry South; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. O'Malley:

At this time, I'd like to ask the Madigan family if they could step up here please, and Mr. Talarico representing the Mayor's Office.

This is an honor for me to be able to present this resolution for Sarah Madigan and for members of her family to designate March 15, 1986, the day of

the parade, as Sarah Madigan Day in Pittsburgh. The Madigan family has been very close to me for the last 10 or 12 years and it was Sarah Madigan who was responsible for me getting involved in politics back in 1974. I feel like the Madigan family is an extension of my own family.

In the past 10 years, 9 out of 10 years, Sarah Madigan and the Ladies from the Ancient Order of Hibernians have ridden in my car in the St. Patrick's Day Parade; every year except for last year. And every year, except for this year, for the past 10 years, I had the privilege of sharing St. Patrick's Day with Sarah Madigan and members of her own family. Sarah is going to be missed very, very much come Saturday, the day of the parade, as she's missed all year long.

Council presents

No. 461 WHEREAS, the late Sarah Madigan will be in the minds and hearts of Pittsburghers this coming Saturday, March 15, 1986, as the City hosts its annual St. Patrick's Day Parade;

AND, as many Pittsburghers will fondly recall the tireless civic and community projects that Mrs. Madigan gave so much time and effort to;

AND, as the keynote to her community involvement, Mrs. Madigan served in a distinguished manner as a Democratic District Committeewoman for 37 years and as the Fourth Ward Chairwoman for twelve years; and

WHEREAS, Mrs. Madigan was prominently active in numerous Irish organizations and affairs, including serving as Pennsylvania State President of the Ladies Auxiliary of the Ancient Order of Hibernians, and presiding for many years as Chairwoman of the "Miss

Smiling Eyes Contest"; and

ALTHOUGH, Sarah Madigan was a native of County Galway, Ireland, she will long be remembered as a strong and loyal Pittsburgher;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council do hereby proclaim Saturday, March 15, 1986 as Sarah Madigan Memorial Day in Pittsburgh so as to pay tribute to the memory of this kind and gentle woman and to honor her family.

Mr. O'Malley moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Marty Madigan:

First of all, I'd just like to express the gratitude of the entire family for this resolution here today. I know my mother would have been very proud of it as she was friends with most of the Councilpeople in this room today. A lifelong resident of Oakland, she and Mr. DePasquale went way back.

Once again, I just want to say thank you very much.

Mr. Givens:

Before the Madigan family leaves here, I'd just like to give some personal thoughts. Sarah was a very dear friend of mine; I remember the first time that I met her, it was an awful wintery day, and I went knocking on the door, being the fact that she was a Committeeperson for some 30 odd years. That's when I first met Sarah and from there on in, between myself and especially my wife, Ethel, there were many, many long

conversations.

I can put one label on Sarah; she was a wealth of knowledge and knew more about what was going on, both in the political community as well as the Irish community, and any person within Allegheny County and probably Southwestern Pennsylvania — And the fact, you know, she was the national leader of the A.O.H. women's organization gives emphasis to that particular point.

It's interesting to note that when she went over to Ireland to see her old county over there, there were about 15 some people waiting for her when she got off the aircraft, people that Sarah had helped, both within the total political committee and within the Irish community.

That is our good lady Sarah and all of us missed her tremendously when she had to depart us. And I know to you, the members of the family, you have that family unity that one is jealous of in this day and age where you don't have that family unity. The Madigan family has it and has been carrying that tradition throughout Allegheny County and throughout the Irish community and we'll all be thinking of you this St. Patrick's Day.

Mr. DePasquale:

Mr. President, we all love Sarah Madigan, especially myself; I went back to grade school with Sarah Madigan. I will also forgive her for talking Mr. O'Malley into running for office.

The Chair:

Thank you.

Mr. Givens:

If I might ask Michelle Madoff to come forward right here and while she's doing so, I'd like to make one or two comments on this resolution.

Michelle did not ask for this nor did I tell her that I was putting this in other than if she read her basket Friday afternoon she would have seen it in there 48 hours prior to it being introduced in Council.

On a very serious note, when any person does something above and beyond the duty that a normal citizen would perform — You hear of so many instances where people have turned their backs on other people who are in need, a lot of it coming from the major cities of Chicago, New York, Los Angeles, etc. Never have I heard it here in the City of Pittsburgh, thank God. And I think this particular presentation here today so indicates that.

Being a military person and seeing people work in areas of great stress and bravery, there is something that is there. There's a reward if you make it back, so to speak. There's a reward if everything goes well. But what a lot of people don't understand is that people make an attempt to do something and have to live with it the rest of their lives, the fact that they made an attempt to do something and they failed. That person lives with that for the rest of their lives. If this individual that I'm about to name right here had leaped over, we would have had one person here who would think about that for the rest of her life.

That's the reason that I am submitting the resolution, Mr. President.

Mr. Givens presents

No. 458 WHEREAS, Councilmember Michelle Madoff did risk her own life in the pursuit of saving the life of a total stranger; and,

WHEREAS, Councilmember Michelle Madoff, en route home, encountered several police cars on the Boulevard of the Allies, and stopped to render assistance; and,

WHEREAS Councilmember Michelle Madoff gave unselfishly of her time, her courage and her utmost inner feelings in the rescue of David Upshur; and

WHEREAS Councilmember Madoff gallantly was able to reach the mind and heart of David Upshur and convince him to return to the safety of the Boulevard and the personal caring of her own arms;

NOW, THEREFORE, BE IT RESOLVED, that the Members of the City Council of the City of Pittsburgh join with the citizens of Pittsburgh to honor Michelle Madoff for the fortitude and courage she displayed in the gallant rescue of David Upshur, and

BE IT FURTHER RESOLVED, that we express gratitude to Michelle for upholding, by this brave act, the dignity and worth of each fellow human being.

Mr. Givens moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Givens:

Thank you, fellow Councilmembers.

At this time, I'm sure Michelle has

not been without words, at that particular incident, and we give it all the dignity that we should. I would ask that Michelle at least accept this particular resolution and, Michelle, please hang it someplace in your trophy room up there and hopefully, Mr. Upshaw, with your help, will continue on and hopefully get gainful employment or anything he needs within this City in order to help his plight.

Michelle Madoff:

Thank you, Mr. Givens.

I want to tell you, very seriously, this is a little bit of an embarrassment, and I don't embarrass easily. But I'm going to try to turn an embarrassment into a positive, and that is that I do want to report that I've talked to the young man, David Upshaw, almost daily. He is in very good care at Western Psych. He's getting the best help available and they're looking into long-term help for him because this is not an isolated incident. The greatest danger was not so much that he might jump but it was wet and slippery and he could have slipped anyway. You're right, if he had fallen they would have said, "What's Madoff doing there?", and they would have crucified me.

It was a very traumatic experience but I've learned about mental health and done some inquiries with people than probably I even want to know or than anybody here wants to know, but basically the bottom line is that long-term care we have available and there are dollars for it, somewhat, and the immediate evaluation there is money for that. But what there is no money for is what we all say, not in our neighborhood, and that is to put people into the community, to give them help so that they can be under supervision where they can go into the psychiatric centers to get

counseling and treatment. There is much havoc in homes today because of mental health and we're only seeing the tip of the iceberg when we see someone threatening to jump. Sometimes it's a chemical imbalance; I don't know what it is in this young man's case but we did read about Mr. Platt who I happen to know personally and I respected enormously.

What I'm saying is that this Council can turn what you consider a meaningful act and what I consider what any one of us would have done, hopefully, into some kind of legislation when mental health agencies come before us and ask us for help in establishing some funds or leading the way in getting funds to help other people who need the help.

Thank you.

The Chair:

Thank you, Michelle.

Mr. Grabowski presents

No. 459 WHEREAS, The City of Pittsburgh is a legal tax collecting entity in the Commonwealth of Pennsylvania; and,

WHEREAS, The City of Pittsburgh collects taxes in excess of the amount due and is obligated to return the sum in excess of the taxpayer's actual obligation; and,

WHEREAS, The City is adamant in assessing interest on late taxes; and,

WHEREAS, The City should be equally vigilant in recognizing tax collections that have been made in error or ordered returned by order of a court; and,

WHEREAS, The General Assembly

of the Commonwealth of Pennsylvania is considering legislation that would mandate the payment of interest on "tax money to which the political subdivision is not legally entitled";

NOW THEREFORE, BE IT RESOLVED, by the Pittsburgh City Council that:

- 1) This Municipality go on record endorsing the objective of House Bill 1792, calling for the granting of interest on tax monies collected in error by any political subdivision in Pennsylvania; and,
- 2) Chief Sponsor Ivan Itkin, a Representative from the City of Pittsburgh, be congratulated for his efforts on behalf of taxpayers.

Mr. Grabowski moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Grabowski:

Mr. President, I'd just like to give a little background regarding this legislation. Last summer a citizen contacted me and he had two complaints. One was that the refund he was entitled to from the City was taking an enormous amount of time to process and secondly, he determined that there would be no interest paid on the amount of money the City owed him. I guess the second complaint sort of compounds the first.

There is no incentive for the City to process these returns in a timely fashion since every day they keep the money the City is drawing interest on it in our bank accounts. I think that's sort of unfair, especially in light of the fact

that, annually, the City appropriates roughly, well, I think in the 1986 budget there is \$4.7 million for refunds. If you consider that amount of money held in a bank account for a year or so, that's an awful lot of money. Since the federal government and the state government all pay refunds or pay interest on the refunds due a taxpayer, I think this is an injustice that should be corrected. The City has an easy answer in that we can't do it because of a state prohibition. Well, this bill was introduced, at my request, by Representative Itkin to change this problem. This Thursday I'm going to Harrisburg to testify in front of the House Finance Committee as to why we need this and I am delighted that Council approved this bill unanimously because I'll take it with me and say not only am I in favor of this but the entire Council of Pittsburgh as well.

Mr. Pollock:

Steve, did you say there's something that prohibits the City from giving interest on its own?

Mr. Grabowski:

Yes. That's what this is designed to do, to change the state statute that prohibits the City from paying interest on refunds.

Michelle Madoff:

Comment very quickly on the same bill. You're absolutely 1000 percent right, Mr. Grabowski, because I mentioned giving interest to people whose money we were holding and I was told that we can't do it because of legislation. So, now you've corrected the bottleneck and you're really to be commended if you get that through.

Mr. Grabowski:

I've not corrected it yet but we're working on it.

Michelle Madoff:

But you're getting to the source where the correction can be made and the bottleneck can be removed. I think it's good work.

The Chair presents

No. 462 WHEREAS, Mrs. Ethel Parker has served the people of Manchester for over 25 years as an outstanding citizen, active in all aspects of her community's life; and,

BECAUSE, Mrs. Parker has distinguished herself and enriched her neighborhood with her spirit of volunteerism and dedication on such Manchester Civic Organizations as the Bidwell Board and Manchester Citizens Corporation; and,

WHILE serving the City admirably for 20 years in the Treasurer's Office, Ethel has also been an active Democratic Committeewoman representing her Northside neighbors; and,

SINCE, Mrs. Parker's career epitomizes the great strength and vitality of our City's neighborhood life which has helped to make Pittsburgh the most livable City in the United States;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh on behalf of the citizens of Pittsburgh do hereby recognize and acknowledge the outstanding contribution of Mrs. Ethel Parker for her friends and neighbors in the Manchester community.

Mr. O'Malley moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

The Chair:

In the next few weeks, I am going to be appointing some sub-committees of Council that I feel that we have an interest in and that we should be going in a certain direction. But I'm re-establishing one today and that's the Committee on Cable with Mrs. Masloff as a sub-committee chairman. That's starting today.

Mrs. Masloff:

Thank you.

Mr. Pollock:

I'd like to make a motion to televise the public hearing on Wednesday and also to televise the public hearing tomorrow on the issue of the collection of garbage Downtown and the issue of the — Is that tomorrow?

The Chair:

It's not tomorrow.

Mr. Pollock:

Oh, the vendors is tomorrow and next Tuesday the garbage collection. All three of those.

Mr. Perry:

The garbage hearing is going to be cablecast.

Mr. Pollock:

Okay, so the other two then. The

public hearing on Wednesday concerning the Stadium bond issue and the one tomorrow concerning the vendors.

Mrs. Masloff:

Mr. President, we have to check with Brother Richard because very often he can't televise —

The Chair:

I need a second on the motion. Why don't we do them one at a time?

Mr. Pollock:

Do the Stadium issue first.

Michelle Madoff seconded the motion.

Which motion prevailed.

The Chair:

Now the motion on the vendors.

Is there a second? No second? It dies for the lack of a second.

Mrs. Masloff moved to approve the Minutes of Monday, February 17, 1986.

Michelle Madoff seconded the motion.

Which motion prevailed.

And on the motion of **Mrs. Masloff**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Monday, March 17, 1986

No. 11

Municipal Record

ONE-HUNDRED. TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA

Monday, March 17, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. DePasquale presented

No. 463 Resolution amending Resolution No. 967, effective October 16, 1985, entitled: "Providing for an Agreement or Agreements with a

Consultant or Consultants for architectural, engineering and graphic design services in connection with the design of the implementation of the Zoo Master Plan; and providing for the payment of the cost thereof," by adding the phrase, "or use of existing Agreements", at a cost not to exceed \$470,000.00, chargeable to and payable from Code Account PR 81-02.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Depasquale moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

No. 464 Resolution further amending Res. No. 815, effective August 17, 1982, as amended by Res. No. 646, effective August 1, 1983, as amended by Res. No. 57, effective February 16, 1984, as amended by Res. No. 1261, effective December 31, 1985, entitled: "Providing for a Contract or Contracts for the Reconstruction of the Stadium Street Retaining Wall from Radcliffe Street to Stafford Street, including necessary work on private property and other work incidental thereto; and providing for the payment of the cost thereof," by

increasing the total project allocation from \$345,000.00 to \$355,950.00, chargeable to and payable from CDPW 81-43 - \$115,000.00 and PW 83-18 - \$240,950.00.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Grabowski presented

No. 465 Communication from George Jacoby, Director, Department of General Services, requesting authorization for Nancy Burgy and Rory Melnick to attend the "Scan-Two" seminar sponsored by the "Automatic Identification Manufacturers" in Chicago, Illinois on April 16, 1986, at a cost not to exceed \$800.00, payable from Code Account 1128, Miscellaneous Services.

Also,

No. 466 Communication from George Jacoby, Director, Department of General Services, requesting authorization for Henry Pucciarelli and Robert Orth to attend a seminar on Waterous Mechanics in St. Paul, Minnesota from April 15-18, 1986, at a cost not to exceed \$1,500.00, payable from Code Account 1128, Miscellaneous Services.

Which were read and referred to the Committee on General Services.

Mrs. Masloff presented

No. 467 Resolution authorizing the issuance of a warrant in favor of Beaver Valley Builders Supply, Inc., in the amount of \$511.60 in payment for ready mix concrete furnished for the benefit of the City, chargeable to and payable from Code Account No. 1806, Materials, Department of Parks and Recreation.

Also,

No. 468 Resolution authorizing the issuance of a warrant in favor of American Red Cross, Pittsburgh-Allegheny County Chapter in the amount of \$521.75 in payment for CPR Instruction Services furnished for the benefit of the City, chargeable to and payable from the Special Parks Program Trust Fund, Department of Parks and Recreation.

Also,

No. 469 Resolution transferring the amount of \$9,923.00 from the Trust Fund Account, Pittsburgh Zoo Capital Development and Improvement (PZCDI), to the Trust Fund Account Friends of the New Zoo (FNZ), in the Department of Parks and Recreation. This transfer is necessary to correct an error made in depositing funds to the wrong account.

Which were severally read and referred to the Committee on Finance.

Also,

No. 470 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Robert Huntley to attend a Park Foreman Workshop in Harrisburg, PA, from March 4-6, 1986, at a cost not to exceed \$300.00, payable from Code Account 1829, Miscellaneous Services, Department of Parks and Recreation. (PRIOR APPROVAL GRANTED)

Also,

No. 471 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Curtis Robbins to attend computer classes at the University of Pittsburgh, PA, January 15,

22, 29 and February 5, 1986, at a cost not to exceed \$165.00, payable from the Aviary Trust Fund, Bureau of Administration, Department of Parks and Recreation.

Also,

No. 472 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Michael A. Senko to attend the National Council on Aging, Inc. Annual Conference in Washington, D.C., April 9-12, 1986, at a cost not to exceed \$900.00, payable from Code Account 1843, Bureau of Recreational Activities/Senior Citizens, Department of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 473 Resolution providing for the issuance of a warrant in favor of James L. Smith Insurance Agency in the amount of \$10,261.00 in payment for extension of Public Official Name Schedule Bond No. Ex 540-850 issued by American States Insurance Company for the one year period beginning January 1, 1986 and ending December 31, 1986 furnished for the benefit of the City in connection with the Job Training Partnership Act Program, chargeable to and payable from the JTPA-1 Trust Fund, federal funds.

Also,

No. 474 Resolution providing for the issuance of a \$815.52 warrant in favor of George Cherry in settlement of claim for damage to personal property at the City garage, payable from Code Account No. 46, Judgments.

Also,

No. 475 Resolution providing for the issuance of a \$2,018.46 warrant in favor of Rose Marie Snead in settlement of claim for sewer line damage by Department of Water employees, payable from Code Account No. 46, Judgments.

Also,

No. 476 Resolution providing for the issuance of a \$982.79 warrant in favor of Gelco Corporation and Automatic Data Processing, Inc. in settlement of claim for vehicle damage by a Department of General Services vehicle, payable from Code Account No. 46, Judgments.

Also,

No. 477 Resolution providing for an Agreement or Agreements with an Educational Institution or Educational Institutions in connection with participating in a Work-Study Program to help students integrate their educational program with work experience, and also providing clerical assistance to the Department of Personnel and Civil Service Commission at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 478 Resolution Repealing Res. No. 1211, approved December 18, 1985, effective December 27, 1985, entitled: "Providing for the extension of Public Official Name Schedule Bond No. Ex 540-850 issued by American States Insurance Company through James L. Smith Insurance Agency for the one year period beginning January 1, 1986 and ending December 31, 1986 and providing for the payment of costs thereof," at a

cost not to exceed \$10,500.00, payable from the JTPA-1 Trust Fund, federal funds, is hereby Repealed.

Also,

No. 479 Communication from Ronald Schmeiser, Director, Department of Finance, requesting an amendment to Council Bill No. 138, dated February 13, 1986, requesting authorization for James Turner and Director Schmeiser to attend a seminar in Boston, Massachusetts on March 24-25, 1986, by substituting Henry Sciortino to attend in lieu of Director Schmeiser.

Also,

No. 480 Communication from Ronald Schmeiser, Director, Department of Finance, requesting authorization for Stephen Schillo, Henry Sciortino, Judy Gula and Barbara Danko to attend the Pennsylvania GFOA East and West Chapters First Annual State Conference in Carlisle, PA, April 23-25, 1986, at a cost not to exceed \$800.00, payable from Code Account 1063, Miscellaneous Services, Department of Finance. Permission is also requested for use of a City vehicle.

Also,

No. 481 Communication from Dante Pellegrini, City Solicitor, Department of Law, submitting a report summarizing settlement claims not exceeding \$750.00 for the Fourth Quarter of 1985, payable from Code Account No. 1081, Petty Claims. Also, submitting a report summarizing settlement claims in excess of \$750.00 for the Fourth Quarter of 1985, payable from Code Account No. 46, Judgments.

Also,

No. 482 Communication from

Ronald Schmeiser, Director, Department of Finance, submitting a report of deposits and market value of collateral Security pledged by City Depositories to secure same as of January 31, 1986.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 483 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Alverta Simpson for the sale of Parcel 106 (2901-15 Wylie Avenue) in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32 for the sum of \$2,000.00. The Redeveloper plans to construct a single-family house on this parcel.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

No. 484 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 22nd Ward of the City of Pittsburgh owned by Council of Three Rivers American Indian Center, Inc. and designated as Block and Lot 23-L-236 (1204 Lorraine Street) in the Deed Registry Office of Allegheny County, for the Fair Market Value plus all necessary

and incidental expenses, under the Residential Land Reserve Fund, said property having been certified by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The property, a vacant structure, is being acquired for Resale to a developer. The developer will be required to rehab the structure up to Health Code standards.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 485 An Ordinance amending the BOCA Basic/National Existing Structures Code by requiring every window, other than a fixed window, shall be capable of being easily opened and shall be held in position by window hardware. Windows above the third story capable of being opened without the use of keys or tools and with sills less than 30" above the inside floor shall have guards meeting the requirements of the BOCA Basic National Building Code, Section 827.0.

Also,

No. 486 Communication from John Norton, Director, Department of Public Safety, requesting authorization for Paul Imhoff to attend a seminar on the subject of the after effects of the Hyatt Regency walkway collapse in Kansas City, Missouri from March 2-4, 1986, at a cost not to exceed \$750.00, payable from Code Account 1476, Miscellaneous Services, Bureau of Building Inspection, Department of Public Safety. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on Public Safety.

The Chair presented

No. 487 Petition from the residents of the City of Pittsburgh, requesting a public hearing to clarify and discuss the Bureau of Fire's intent to reorganize and/or reassign personnel and equipment currently operating in fire stations, specifically Engine Company No. 37, 21st Ward. In accordance with Section 320 of the Home Rule Charter, this petition is valid.

Which was read and referred to the Committee on Public Safety.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 488

Report of the Committee on Finance for March 12, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 374

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Automatic Sprinkler Corporation in the amount of \$2,995.00 in payment of the design and installation of a sprinkler system and fire door for the Eazor Garage Paint Shop; and providing for the payment thereof."

Which was read.

Also,

Bill No. 375

A Resolution entitled, "Resolution

providing for the issuance of a warrant in favor of W. G. Tomko and Son, Inc., (William G. Tomko, Jr., President) in the amount of \$580.00 in payment of Extra Work, being in addition to the original contract price of \$94,430.00 on Controller's Contract No. 27722, furnished for the benefit of the City in connection with the Building Plumbing Contract and providing for the payment thereof."

Which was read.

Also,

Bill No. 383

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Pittsburgh Associates (Principles: Mr. Martin Stampler, Mr. Michael Appell) in the amount of \$336.48 in payment of gas service for the Department of Parks and Recreation Oakland Senior Citizens Center, 362 McKee Place, Pittsburgh, PA 15213, furnished for the benefit of the City, without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 384

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Air-O-Lator Corporation in the amount of \$353.51 in payment for an Ice-Away Airolator furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 391

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Nationwide Advertising Service, Inc. in payment of various advertisements placed in professional journals, newspapers and periodicals for the benefit of the City without previous authority of law; and providing for the payment thereof." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 392

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of three thousand two hundred forty-six dollars and sixty one cents (\$3,246.61) to the Commonwealth of Pennsylvania

representing the final payment required for unclaimed funds for the year 1977 pursuant to the provisions of the Depositing of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74."

Which was read.

Also,

Bill No. 393

A Resolution entitled, "Resolution and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of one thousand five hundred fifty-one dollars and seventy-four cents (\$1,551.74) to the Commonwealth of Pennsylvania representing initial payment required for unclaimed funds for the year 1978 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the

bills passed finally.

Also,

Bill No. 489

Report of the Committee on Finance for March 17, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 419

A Resolution entitled, "Resolution authorizing and directing the Director of the Department of Finance and the City Controller to establish a Trust Fund to be known as the Business Development Trust Fund (BDTF); and authorizing the Director of the Department of Finance and directing the City Controller to deposit funds for economic development from the repayment of funds advanced by the City of Pittsburgh to the Stadium Authority of the City of Pittsburgh."

Which was read.

Bill No. 420

A Resolution entitled, "Resolution of the City Council of the City of Pittsburgh determining to incur lease rental debt by entering into a Guaranty Agreement with the Stadium Authority of the City of Pittsburgh; determining that such lease rental debt shall be evidenced by \$_____, principal amount, Stadium Authority of the City of Pittsburgh, guaranteed stadium funding bonds, Series 1986, to be authorized and to be issued by Stadium Authority of the City of Pittsburgh; authorizing and directing the proper officers of the City (A) to prepare, to certify and to file the debt statement required by Section 410 of the

Pennsylvania Local Government Unit Debt Act; and (B) to execute, to attest and to deliver, as appropriate, a guaranty agreement between the City and said Authority; approving the form of said guaranty agreement; specifying the maximum amounts of the guaranty obligations of the City pursuant to said guaranty agreement and the sources of payment of such guaranty obligations and pledging the full faith, credit and taxing power of the City in support thereof; providing for proper officers of the City to take all other required, necessary or desirable related action in connection with said project and said guaranty agreement; providing for the effectiveness of this Resolution; providing for the severability of provisions of this Resolution; and providing for repeal of all inconsistent Resolutions or parts of Resolution."

Which was read.

Bill No. 431

A Resolution entitled, "Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to provide funds for the making of loans in connection with the Urban Redevelopment Authority's Business Reinvestment Fund in the amount of \$20,000,000.00, payable from the Business Development Trust Fund."

Mr. Pollock:

Discussion on Bills 419, 420 and 431.

Michelle Madoff:

Excuse me, are we voting on the Pirates separately, please?

The Chair:

No. That's the bills he's talking about now.

Michelle Madoff:

They're not here so could we vote on them separately? They were handed to us separately.

The Chair:

We are voting on all bills at the same time. He just told you the numbers he's going to discuss. Mr. Pollock?

Mr. Pollock:

Before stating my position on these extremely controversial and vitally important pieces of legislation, I'd like to set for several points that were not discussed at the Committee Meeting.

Michelle Madoff:

Excuse me, Mr. Pollock. Point of order. Could we have the numbers of the bills?

Mr. Pollock:

Bills 419, 420 and 431.

Michelle Madoff:

Thank you very much.

The Chair:

Wait a minute. We're going to have some order so from now on, everyone address their questions to me. Mr. Pollock, you have the floor. No more interruptions, please.

Mr. Pollock:

Before stating my position to these

controversial bills, I wanted to set forth several points that I didn't discuss at the Committee Meeting.

There has been much discussion centering on the issue of whether this bond issue is a good investment for the City and, if it is, then why don't parties from the private sector come forward and scoff the deal up.

I for one, feel that it is not a good investment in terms of the factors that private financial investors consider. The property investor's major concern is returned on the dollar, and clearly, the Pittsburgh Pirates have not, and probably will not, in the near future provide a very good return on the dollar.

But the public sector has far more different criteria to consider and determine what investments to make. We in government are charged with the responsibility of maintaining employment, of developing the local economy, of providing job opportunities and workplaces for our residents and our citizens.

More significantly, we must consider human cost. The tragedies of lost employment, of the loss of a home, of the break-up of families, these are hardships that are real that elected officials must consider and those in the private sector do not. The frustration and anger that has resulted in the activity of the Denominational Ministry in the Steel Valley Unemployed workers results from this type of human tragedy.

I would next like to discuss the issue of this Council's response to the proposed legislation. There have been accusations of rubber-stamping and these should be addressed. To state that a member of this Council would vote for this bill as an act of self-interest is inaccuracy at best and empty-headed

rhetoric or rabble-rousing demagoguery at worst. It does not take a professional pollster to see that the public sentiment is clearly against this. Some estimates range as high as nine to one.

Most of us who vote positively on this bill will be doing so for reasons of conscience and, actually, at great personal sacrifice to our political fortunes. Indeed, those of us who have to run for re-election next year and who vote favorably for this bill will be doing so at great risk. But that is the risk that we bear.

I, for one, have never advocated government by referendum; it's the coward's way out, as the Post Gazette said last week. We must make the tough decisions; that's why we're here.

It is extremely significant that one of the most outspoken and ardent opponents to this legislation, our City Controller, has had the wisdom to state publicly that he does not favor the Pirates leaving. In fact, he said that he totally favors and realizes the importance of having the Pirates in the City. His major concern was with the City's interest in providing the loan. He favors greater contribution from the private sector. He feels that if this is such a good investment for the City, then the private sector should grab it as well.

As I stated previously, this is not a good investment for a private investor and if Mr. Flaherty's wish were consummated and the private investors would totally take the burden of purchasing this team from the taxpayers' shoulders, then indeed, this baseball team would be gone from the City of Pittsburgh within a very short time, along with the significant economic benefit to our area, along with the 1000 or 2000 jobs.

I have to point out because it has not been mentioned throughout all this time that those who state that we have a lease, we can keep them here, as many at the public hearing stated, has a very significant flaw in it, as was recently demonstrated last week. For those who do not know, the Meadowlands in New Jersey have offered the New York Yankees their stadium to relocate to and the question of an existing lease for the New York Yankees at Yankee Stadium came up and part of the arrangements and offer from the Meadowlands to the New York Yankees was to buy off the final years of their lease at Yankee Stadium. So, I am sure this same offer would be forthcoming to a group of private investors who would own the Pirates; that is, come to the Meadowlands and we will pay off your lease until the year 2011 as a cost of the purchase. So, we in Pittsburgh would have the rent for Three Rivers Stadium from these private people until the year 2011 to collect every year, but where would the Pirates be, and where would the jobs be, and where would our major league image be? In New Jersey.

There were many United States Senators several years ago who spoke far more articulately than I and far more passionately than those at the public hearing last week in opposition to the what they termed bail-out of the Chrysler Corporation. They stated that it was not the interest of the public sector to bail out a floundering private company and that indeed any bail that they did give would be lost, that Chrysler was going down the tubes, and we were just throwing good money after bad. Well, I'd like to know why those Senators have been so quiet today, now that Chrysler has turned around, and that all the hundreds and thousands of jobs that Chrysler provides across this country have been saved. Why is the cry against the Chrysler bail-out not equalled by the

ardent support of this bail-out? We on City Council find ourselves in the same position as the United States Senate did in considering the support and loan to Chrysler which, by the way, was paid back prior to the terms of the loan agreement provided for it to be paid.

I do not share my colleague, Michelle Madoff's pessimism about the future of the Pirates in Pittsburgh. I think that they are going to be here for a long time. They've cut their payroll significantly, eliminating many high-priced players. They are going to be providing a young, dynamic, exciting product. The City is going to rally around them. The opponents to this legislation that speak or warn that if this goes through they will boycott the team remind me of a little boy who states that they're going to cut off their nose to spite their face. Once the deal goes through, it makes no sense to then boycott what we as taxpayers have an interest in is to guarantee a loss of our money. I, for one, am willing to put my own money where my mouth is and have bought, for the first time in my life, season tickets to the Pirates, only because I'm excited about this coming year.

Finally, I am perfectly satisfied that I as a taxpayer and we as a City and this body as City Council is totally protected by the terms of the agreements and by the provisions that those agreements provide. We have an asset that at the very, very worst case scenario, if, God forbid, the Pirates do not draw and five years from now the team must be sold, we still have an equity participation which, when these different cities come bidding for our franchise, Tampa, Meadowlands, Denver, Indianapolis, we will still have the open market to offer this team to these cities which will result in considerable funds. In 1991, maybe \$100 million. This

actually could be a good investment. I, for one, hope it never turns out to be that kind of investment, that we get a return on our dollar. I hope the Pirates stay here forever. But at this worst case scenario, we are protected.

Additionally, if the Pirates do stay and turn a profit, we have the additional advantage of receiving 43 percent of that profit over and above what the loan terms are. We're protected either way.

For all of these reasons, and despite the number of calls I've received, despite the threats of political retaliation, of impeachment and ardent efforts against my re-election, I am going to vote in favor of these three pieces of legislation and urge all of my colleagues to join me.

Thank you for the time.

Mr. Wagner:

Mr. President and members of Council, I think it's our responsibility to keep this team in the City in the cheapest way possible and we can have, I think, public hearings and generally speaking, we hear that from one group keep the team and the other group is don't keep the team, let the team go. I've tried to present today a potential scenario of how to keep the team in Pittsburgh with greater participation from the public through a public stock offering, share participation, whatever it may be, whatever you may classify it as. My presentation at the previous meeting I would like brought forward for the record.

(MR. WAGNER'S REMARKS ON BILL NOS. 419, 420 & 431 FROM MARCH 17, 1986)

Mr. Wagner:

I agree we need professional baseball in Pittsburgh; however, I am still not convinced we are going about this in the cheapest way possible, and prior to getting into some discussion about an alternative way, of which I have talked about, and everyone surely understands and knows what I am going to talk about, I'd like to clarify a couple items.

Number one, I think everybody would agree that baseball in the future, and the key to the future in baseball in Pittsburgh, is dependent upon what? In terms of the Pirates success financially? Attendance, is that correct?

Mr. Donahoe:

Attendance, cost control, I think the league's ability to properly share. I'm not so sure it is just as simple as attendance, but attendance is a major factor.

Mr. Wagner:

Can't we -- you will agree that the major problems with professional baseball as relates to Pittsburgh has related to the declining attendance.

Mr. Donahoe:

Yes.

Mr. Wagner:

The reason for the sale of the team, the reason for the financial projections is that we are talking about the need to raise \$45 or \$50 million to be

able to financially support not only the purchase of the team, but the projected losses over the next five years, until we can turn the team around, so I believe, and I believe the majority of people believe, that attendance is the major concern if, in fact, we can turn this thing around.

Last week at the public hearing we requested some information, and one piece of information was a Chamber of Commerce study, and I'd just like to bring to everyone's attention, and I was under the impression that the figures that have been thrown around are reflective of the atmosphere financially today in the City of Pittsburgh as it relates to attendance, and I found out that basically that is not the case with the Chamber's study. The Chamber of Commerce study indicates that approximately \$36 million in revenue is generated per year as a result of Pirate baseball. However, that study is based on projections made in 1980 when they were projecting the attendance to \$1.8 million. We all know factually that the attendance of Pirate games has not been anywhere near that. As a matter of fact, the last two years it has been \$750,000.00, so what that figure is I don't know, but I believe a gentleman by the name of Mr. Smith last week brought that out at the hearing, and he waved the red flag in my mind, and in looking at it I tend to believe that we are not under the projected attendance for this year, which is, hopefully, going to be a million or slightly more than that, which would probably generate anywhere from \$20 to \$25 million in the economy and not \$36 to \$40 million.

Michelle Madoff:

What was that figure, please?

Mr. Wagner:

The protection of the Chamber was \$36 million.

Michelle Madoff:

And you think it would be what?

Mr. Wagner:

I think it is probably \$20 to \$22 million.

Michelle Madoff:

A little more realistic.

Mr. Wagner:

It is based on projected attendance at the games, basically.

One very important question -- I'm not sure if it has been asked in the last two hours, what is the position of County Government? Have we had discussions with them? Is there any commitment to any larger degree of participation other than the \$426,000?

Mr. Donahoe:

This is the same information I gave at the public hearing last week. The Mayor did discuss with all three Commissioners the situation concerning the sale lease-back. The two Commissioners who supported the grant for the City indicated that they will continue to support the initial grant, and he plans to meet with them to discuss any increase that might result from this financing, if this becomes the final way that the Stadium matter is resolved. But the specific answer is there is not a commitment to date beyond the \$426,000.

Michelle Madoff:

Mr. Wagner, may I ask a question?

The Chair:

Michelle, please.

Mr. Wagner:

Let me follow up on that particular topic. Is there a meeting planned and, if so, when and when could this Council expect an answer to that?

Mr. Donahoe:

The Mayor does plan to have a meeting. I don't know that it has been specifically scheduled, and I'm sure as soon as the meeting takes place you will be informed.

Mr. Schmeiser:

The reason it hadn't been scheduled, it would be premature to discuss this, because we may still have the sale lease-back.

Michelle Madoff:

Do you want to say that again loudly so the public can have it?

Mr. Schmeiser:

We may still have the same lease-back, so the final form of the financing is not yet determined.

Mr. Donahoe:

As we pointed out, the cost of the loan is a little less than the sale lease-back, so the County is defraying at least half of the cost, and what the Director is really pointing out is we don't know what the final way of the financing is to be; therefore, is might be premature.

Mr. Wagner:

Are we then saying that we are holding back discussions with the Commissioners until we finally determine whether or not there is going to be a sale lease-back?

Mr. Schmeiser:

Sure.

Mr. Wagner:

So, in other words, that could be six months down the road?

Mr. Schmeiser:

Could be.

Mr. Wagner:

Well, this Council was under the impression that there was going to be discussions in the very near future to determine specifically is there would be any increased contribution.

Michelle Madoff:

There should be discussion.

Mr. Donahoe:

I think there will be discussion. I think the only problem is that we don't exactly know what that final amount might be, because you don't know whether this becomes the final solution, or whether the sale lease-back enters into it to defray some of the cost.

Mr. Wagner:

Can we then -- at least I have to -- assume, and I suspect every Member of Council does, that we are moving forward on the premise that the County is not participating in any greater degree

than they have so far?

Mr. Donahoe:

They have committed to the \$426,000 participation.

Mr. Wagner:

But we cannot assume that it will be anything greater than \$426,000.

Mr. Donahoe:

I have nothing to give you that would indicate that.

Mr. Wagner:

So we are assuming, we are moving forward on the premise that it will be that, whether or not we continue with the bond or we go to, eventually, the sale lease-back, correct?

Mr. Donahoe:

Correct.

Mr. Wagner:

One other item that hasn't been cleared publicly, and I'm asking this question basically for the sake of the public, is the lease agreement of the team at the Stadium, it is still a little hazy as to if the team does not succeed after five years with this agreement, with this bond issue the lease agreement can be broken and the team can move?

Mr. Gariti:

The lease agreement has been modified to reflect the deal we now have with the new Pirate owners, which breaks down to what we said before, that if at any time the cash flow and cash requirements are such that the expenses are going to exceed the cash flow on a

one-year projection, then the leasehold can be broken.

The second would be that after the fifth year if in fact they still have some monies left but based on two preceding years and projections of a third year they show an aggregate loss of \$10 million, then they would have the right to notify the City and Stadium Authority relating to their leasehold..

Mr. Wagner:

And the City and Stadium Authority would then have the option to purchase or the lease would be --

Mr. Gariti:

At that point in time that would make the option agreement life for which we would then have an assignable option to find another buyer to purchase the Pirates at a set price in the option agreement.

Mr. Wagner:

But, in comparison to the lease agreement, which runs to the year 2011, in essence the lease can be broken after a five-year period.

Mr. Gariti:

If those conditions are met.

Mr. Wagner:

If those condition are met. Okay. Based on my earlier statement I'd like to take a minute also to use the easel, even though I didn't intend to, but it appears as if that is what everyone is doing, and I'd like to clarify a point that I think could save the City money if we pursued it.

There is some disagreement as to

whether or not is it possible, but at the same time I think until it is tried we don't know if it is possible, and at this point in time the potential for a stock offering continues, I think, to be a realistic option to reduce the public debt that is being suggested.

Correct me if I'm wrong on this, suggesting this scenario. Under the sale lease back the public subsidy would be City, \$426,000, County, \$426,000, for a total of \$852,000; is that correct? That would be the total public subsidy if we were to sell the stadium and lease it back.

Mr. Donahoe:

That is what you approved in November.

Mr. Wagner:

Now under the bond issue, as has been suggested, a \$21 million bond issue with an approximate annual debt service of \$2 million, the County subsidy would be \$426,000 still the same as the lease back, correct?

Mr. Donahoe:

As of today.

Mr. Wagner:

Unless they agree to additional funds and the City contribution would be as proposed \$1,574,000 for a total of \$2 million, approximately, correct?

Mr. Donahoe:

Yes.

Mr. Wagner:

So the total public subsidy would be \$2 million in comparison with the lease

back which would be \$852,000, correct?

Mr. Donahoe:

Right.

Mr. Wagner:

Which means that the City contribution in comparison to the lease back agreement would be approximately \$426,000 — it would be approximately \$1,150,000 greater. So that's a point that I think it's important to clear the air with I think it's important to clear the air with and under the worst case scenario as suggested with the bond issue in comparison to the lease back, the public subsidy for the City would be an additional \$1,150,000.

Now, I have been saying all along that the need exists to pursue a public stock offering and I believe that if we're capable of putting together a limited partnership which would purchase \$25 million in ownership of the Pirates consisting of 12 or 13 companies and/or individuals for a total of \$25 million, it's very conceivable that we could go out and sell \$10 million in a public stock offering to all of the other companies, all of the other wealthy individuals, all the unions, anyone that would be interested in the entire region in participating in ownership of the Pirates. Now, I'm using the \$10 million to go out and we only needed a \$10 million bond issue, the subsidy for that bond issue would be approximately \$1 million a year, correct?

Mr. Donahoe:

That's correct.

Mr. Wagner:

Under that scenario we could assume that the County would continue

to participate with the \$426,000 subsidy, correct?

Mr. Donahoe:

Yes.

Mr. Wagner:

For a \$10 million bond issue, or a \$20 million bond issue at the present and a further attempt to go to a public stock offering which would reduce the 20 to approximately 10 million. If we were to do that, the real public debt would be a \$10 million debt with a bond issue, the public subsidy being \$1 million per year. If that were to occur and the County continues to subsidize at the tune of \$426,000, then the City's debt would be the balance or \$574,000 which is approximately no more than \$100,000 in comparison to the sale lease back agreement. Can we agree on that in principal? If we were able to sell \$10 million in public stock --

Mr. Donahoe:

If we were able --

Mr. Wagner:

Yes, then in essence the public debt would be very little more than was proposed with the sale lease back agreement for approximately \$100,000 more.

Mr. Donahoe:

That's what the number demonstrates.

Mr. Wagner:

The reason why I thought it was important to show that is that I firmly think that we are missing a golden opportunity and however we can pursue

this I believe that there is enough public interest out there to get people, to get companies, to get unions to participate in the purchasing of ownership of the Pittsburgh Pirates.

At the public hearing which occurred last Wednesday, I did my own personal survey and I asked people that were in favor and opposed to the Pittsburgh Pirates and the bond issue, and my survey was done publicly for a purpose so that everyone could see and could hear. In that survey, 12 people, even those opposed, out of 14 people said yes that they would purchase stock or the groups that I represent would purchase stock. One said that they would not and one did not have an answer.

I have also pursued over the weekend asking companies and asking individuals and they have indicated that they would participate in ownership. Several members of Council have indicated that they would participate in ownership. All of that leads to what I think again, I'm stating, a golden opportunity to do the most important thing which is what I started my presentation with: to increase attendance and public participation in the Pittsburgh Pirates.

The reasons why I believe that a public stock offering are to the advantage to everyone in this city, everyone in this county and everyone in this region and particularly those in this city are as follows: By buying stock we could reduce the public subsidy by approximately \$10 million and I demonstrated that up there on the board. Number Two, we could generate greater community interest in the ball team, therefore increasing attendance and hopefully assuring long-term stability of the franchise. Number Three, the City could, and I don't believe that this has been discussed much. I'm sure it has

been considered by all of you though. The City could retain ownership of Three Rivers Stadium which may not be such a bad idea and along with it the development rights of the property which the stadium sits on.

We have all said all along well let's sell the stadium. I personally am not so sure that that's a great idea to sell the stadium because when we sell the stadium, we are also relinquishing to a certain degree that facility along with development rights of some of the prime property in the City of Pittsburgh.

Number Four, the financial burden of maintaining the franchise would be more representative of those that invest in the team and those that attend ball games. What I mean by that is, we all know statistically that two-thirds to three-fourths of those that attend Pirate games are not city residents. So by suggesting to have a public stock offering, we are opening up ownership participation in the team, not only to those in the city that are carrying the financial burden, but to those in the County and the region that would be participating in ownership.

For those reasons I firmly believe that we have to explore this. I mean, we absolutely have to explore it. We have talked about it and I know all of you realize that there are difficulties, Mr. Donahoe, you had sent a letter to all members of Council this morning I went through a list of companies in our area and it's absolutely incredible the resources that we haven't yet tapped for the Pittsburgh Pirates. Companies that I'm absolutely certain would participate in ownership such as, just to name a few — H.K. Porter, Consolidated Gas Company, Joy Manufacturing, Kppers, Dravo, Equibank, Price-Waterhouse, the various law firms in our city, the various insurance companies in our city, the

Pittsburgh Press, the Pittsburgh Post-Gazette, Mine Safety Appliances, U.S. Air, Ketchum Advertising, First Federal Savings, Allegheny International, Rockwell, H.H. Robertson, savings and loan associations, the realty companies in the city, all the construction companies, all the labor unions, all the computer companies, the ball players themselves. The ball players that are averaging \$300,000 a year in salary, why couldn't they purchase \$10,000 in stock? That's probably the real problem with the Pirates. And 2.8 million people that live in the region, 2.8 million people of which is projected that well over one-quarter of a million people in our region are considered to be wealthy people with incomes far greater than \$50,000 a year, probably exceeding \$100,000 a year.

Mr. Pollock:

Let's assume that everything you say is totally accurate. How do you deal with the time factor? What you're talking about is a very time-consuming process. How do you come up with the money up front to start the season and still pursue this avenue that you're talking about because to do it right you're talking a year or more.

Mr. Wagner:

Last July the time factor was a problem also. When everyone said that the team had to be sold, ownership had to take place quickly and it's nine months later and we're sitting in the same scenario.

I am not suggesting that we do not move forward on the bond issue. I firmly believe that we should because it is the only scenario at this point in time that still meets the commitments with the private partnership and government, but what I am suggesting is that we make a commitment up front publicly to go out

and explore and pursue a public stock offering for the debt that exists for the City of Pittsburgh and by doing so reducing the debt to the public to something that is almost a wash and equal to the sale lease back agreement plus us retaining ownership of the team.

I see Mr. Roddey in the audience and I've spoken with him about it and he has some very innovative marketing ideas that I think could be applied to it. We've talked about Booster Clubs involving the neighborhoods, discounts for tickets and I thought of a few things such as a reduction in cost possibly for concessions, for parking for ticket price, free membership to the Allegheny Club — I don't know. All of these items I think are very realistic possibilities and would add to the potential of a public stock offering and I firmly believe that the market out there. The market was out there to obtain \$25 million with 12 or 13 people. I have to believe that the market's out there for another \$10 million and some of the reasons, Mr. Donahoe, I'd just like to discuss this. Maybe you would like to indicate and give you the opportunity to indicate what you consider to be some of the hurdles that exists in terms of pursuing this which you have put to Council in writing in the letter we received. There's four points I believe.

Mr. Donahoe:

I attempted to provide what I understood to be a summary of why this avenue wasn't pursued last year when it first came up. The first and most important point is to understand that the Pittsburgh Athletic Company which owns the Pirates today is in fact a stock company. There are groups and individuals who own stock in that company but it's not publicly traded. The point was made before that you can't go out on the open markets and buy stock

and that's by design, by the League. They do not, and as far as I know as of this morning, continue to not permitting the public trading of stock in sports franchises. I believe it's the complexities of the kinds of businesses they are. While they are all independent companies, they must form sort of a collective to deal with things like media rights and pension obligations and player contracts and so on, so that they have limited the approved structures to things like a limited partnership or sole proprietorship.

The structure that was finally arrived at and eventually approved by the League in Pittsburgh and it was after some considerable persuasion was this limited partnership-ownership with the public participation through a loan as is before us now. And as I say, it was acceptable to the League.

Secondly, the funds raised in the private sector as has been mentioned — we're not so much an investment but a civic contribution. They were looking for a dollar-for-dollar match by the public sector — in this case governmental entities. They were satisfied to accept that because of legal problems in the form of a loan rather than through the public sector actually buying stock.

Third, assuming these problems could be overcome, there were substantial hurdles to be overcome in registering the stock. First, finding someone who would form a corporation to issue it and nobody came forth to do that. Last year there were people who would form limited partnerships and so on.

Also, the City was advised at the time that it was not potentially productive. You would have to price to stock so low that it was very unlikely

that you could raise the amount of money which were needed through a stock offering. You would therefore have to go back into the private sector and get large commitments from corporations or individuals and frankly that marriage just never took place last year or it might have been the structure that was ultimately recommended.

Now one suggestion was made last week that something short of a formal registered public stock offering be developed where in through some organization, and it could not be the City but through some vehicle, some sort of a share in participation or certificate would be established whereby those people who purchase the certificates would get certain preferences with the ball club and the Pirates have agreed to examine that.

One final point. The list of companies that have not been involved directly in the purchase of the team — you should not assume that they don't support baseball. In fact, through ticket purchases many of them hold lease boxes at the stadium and so on. They are very substantial supporters of not only baseball and football and of course all of that revenue as has been demonstrated accrues to the City's benefit.

The situation we're in now is that we have a limited partnership which has formed who will own the team. I do not believe that they are interested in throwing open to the general market and I don't believe baseball would permit them to throw open to the general market, ownership in the team. In essence, the structure that's before us now has been established. The real question might be, how do we defray this public commitment other than through general tax obligations, and I don't know of any formal vehicle for doing that. As

I have discussed, there may be a less formal vehicle for doing that. As I have discussed, there may be a less formal vehicle wherein contributions could be sought and some preference given to people who were willing to make a contribution.

Mr. Wagner:

I believe that the mechanism has been set up between us and the private partnership. However, a shared participation through the economic development loan somehow through the Urban Redevelopment Authority I still believe is possible and whether or not we have to set up a vehicle by which that money passes through to get to the partnership, I don't know, but just as we have come up with innovative financing ideas for the sale lease back agreement, I firmly believe that an innovative idea can be initiated here to permit the public to be a part of this. I agree with you that many of these companies do participate but many also want to participate to a greater degree. To a far greater degree than buying just season tickets or having a box at the stadium. I truly believe that they would invest in a good investment and that's what we've been saying all along. That even though this right now today in Pittsburgh is not a good investment, but if the worst scenario occurs and the team is sold and the franchise leaves, the value of the team will be far greater than what it is being purchased for today; double possibly even triple. So therefore, if the face value right now today is \$45 million and as Councilwoman Madoff indicated earlier, the team could be sold for \$65 million, than those investing in some type of share and participation, whatever it would be called, a stock offering, they actually over the long haul would have a good investment and the best investment would be to keep the team in Pittsburgh and the best investment would be to get

those individuals more involved in participation with the ball club to change the image of the ball club, and basically all I'm asking for from the Administration is a commitment to move forward to explore in very real terms the potential of doing this in the near future, and I firmly believe that if the desire is there to do that, we can do it. And that's all I'm asking the Administration to do and I have heard for nine months that the timing isn't there; we have all the time we need to explore it and we're paying financial advisors on the lease back agreement, we're paying bond counsel, we're paying big dollars to do big things here and I'm saying, why can't we go out and pay someone to create an innovative procedure by which we can establish public participation and ownership. And believe me, the desire is there from the public and that is what is going to assure us, increase the attendance and future success of the team.

We all know in Green Bay, Wisconsin, what it did for the Green Bay Packers and there's no reason, if it happens in a city with 50,000 people, it can happen in a city with 400,000 people to a greater degree and that's all I'm asking for from the Administration is to pursue this earnestly in the future and I believe if we do, it will happen. Will the Administration make that commitment?

Mr. Donahoe:

I think the Mayor has already told Councilmembers that he would explore that. I do not know today, I do not know of any vehicle that exists today to take the loan that's being made and sell it off which is essentially what you're describing. You would sell off shares of that loan to people in the private sector. I do not know the vehicle for doing that today. Will we explore it, the answer is yes.

Mr. Wagner:

Explore it to what degree? If it is — when I say explore I mean explore it as aggressively as we have explored other alternatives. That's what I'm looking for.

Mr. Schmeiser:

Jack, there's two major hurdles. First of all, will Mr. Uberroth allow it? We think not. In fact, I'm told for certain that he said no which means that we can't go any further if that is his decision. He will not allow us to have a franchise as publicly held; that's my understanding. Secondly, these investors have to give their approval. My understanding is that they do not want public ownership because there is a great deal of burden in having a publicly owned company. SEC filings and liabilities and disclosures and everything else. They're not anxious to make this investment. If we put these further burdens on them, they just will move out.

Mr. Wagner:

Why can't this be a further limited partnership for participation in the team without all the formality as is suggested?

Mr. Schmeiser:

Because once you have over 30 investors then you're publicly held, subject to SEC regulation scrutiny.

Mr. Wagner:

I have never heard until you just stated that the Commissioner of baseball has made that statement.

Mr. Schmeiser:

That's my understanding.

Mr. Donahoe:

The understanding is that baseball would not approve a structure that involved publicly held and traded securities. But when I said we would explore Councilman, I want to be clear. I thought what you were asking is would we take the loan that will ultimately result, and will we look to some mechanism to defray the cost of that loan and that we will commit to do. If it means however will that be done so that the way we defer it through finding 10,000 other people, will they have some voting rights in the club, will the technically own the club? The answer to that is no because the people who are forming the limited partnership, I can't commit that they'll do that.

Mr. Wagner:

I can accept that and I think the public could accept that. I don't think the public wants to participate and vote in the operation of the team. I just think the public wants to be a part of the team and we're not giving them the opportunity to do that.

Mr. Schmeiser:

They are. As taxpayers they are certainly involved in the team.

Mr. Wagner:

Well, there's certain notions of the public though that don't want that a huge public subsidy and what I'm saying is, let those that want to invest, and let's reduce the public subsidy and as long as there's a commitment to do that without the formal - with the formal understanding that it cannot be done with a public stock offering, I can accept that but I believe that we must pursue it and if we do we'll find out that there will be rewards financially.

Mrs. Masloff:

One fast question. David, is there anybody seriously interested in buying the stadium? Now you know, don't tell you don't. Is there anybody seriously interested in the team?

Mr. Donahoe:

Yes, the Mayor's advised me that there are still very active groups and it's not just one. There are groups of investors who are interested and those talks are continuing to go on. The Mayor believes that it will be successful.

Mrs. Masloff:

And it is serious.

Mr. Donahoe:

Yes.

Mrs. Masloff:

Okay.

(END OF MR. WAGNER'S REMARKS
FROM BILL NOS. 419, 420, & 431)

Mr. Wagner:

I would just simply like to state once again my reasoning behind that. We can, in fact, through a public stock offering accomplish five things. By selling we could reduce the public subsidy by at least \$10 million. This would require \$10 million in stock to be sold. That would not be difficult based on the fact that it was not difficult to sell \$25 million in limited partnership with 12 company individuals. There are many more companies out there, there are many more individuals, there are many labor groups, that are willing to participate in some form of ownership with the Pittsburgh Pirates. If we can

sell \$10 million in participation and ownership through stock or through whatever it is classified, we can reduce that public subsidy to be no greater than what was proposed in the sale lease back agreement. That's the first reason; to reduce the public subsidy.

The second would be to generate greater community interest in the ball team, therefore increasing attendance and assuring long-term stability of the franchise. As I indicated before, the number one problem with the Pirates is attendance. It's not a secret why people don't go to the ballgame. There's an accumulation of reasons, one being the economy, the other being transportation to and from, the other being development around the facility. But most recently, I think the public is just downright irritated with what they've seen over the last two years in terms of the free agencies and the million dollar contract with ballplayers. And even more recently than that, the drug problem that existed recently on the Pittsburgh Pirates.

Hopefully, the final problem is solved and I tend to believe it is. I believe with the new management and the new ownership that exists with the Pirates, that problem will no longer exist. By people participating in ownership, greater attendance will occur at that ball park.

The third reason, the City could retain ownership and development rights of Three Rivers Stadium. All of us have pretty much thought that, well, to sell the Stadium is the best idea. It is if it's the cheapest idea. But with the public stock offering, it would not be the cheapest idea. We could retain ownership of the Stadium, we could pay off the bonds, we could own the facility, own the development rights on the property.

The fourth reason being the financial burden of maintaining the franchise would be more representative with those that own stock in the team, meaning those that live outside the City of Pittsburgh. The majority of the people that go to the Stadium are not City residents; therefore, why not give them the opportunity to invest in the team.

This would reduce significantly the bond issue and that's the point I'm getting at and I am hoping and I received a commitment from Mr. Donahoe at our meeting an hour ago that we will look into the possibility of pursuing that and I firmly believe that this Council should continue to check with the Administration to make sure that we do pursue that. If we do, the public debt will be no greater than what was originally anticipated four months ago. I firmly believe that if this City were progressive in terms of marketing, and this Council put in a marketing coordinator into the budget and the Administration, if this City were progressive in terms of marketing itself and marketing was injected into the idea of the sale and the ownership of this team, it could be accomplished.

Therefore, since I have received a commitment from the Administration to pursue the public stock offering, to pursue the share participation in the team, I think it's in the best interest of this City to vote to keep the Pirates in Pittsburgh and that's what I intend to do.

Michelle Madoff:

I want to thank both my colleagues, Mr. Wagner and Mr. Pollock. I think Mr. Pollock particularly was eloquent in his summary because he does that as an attorney and he does it well. I would like to point out to someone who may have just got home from work and are turning

on this best matinee in town that between one and four o'clock today members of this Council tried to be sure that we understood all the ramifications of committing ourselves to a bond issue. Mr. Pollock was very clear when he talked about voting your conscience. Those of you with Council who ran and have three more years like our Mayor does are counting on the public to forget how we vote because we've already declared ourselves in the preliminary vote. It's people like myself who run next year being threatened with impeachment and being threatened that if you vote for this, we're not voting for you next year. And since I have, as you know, a rather high visibility, I'll be the name they remember and the one they zero in on.

It's funny how fast or how soon we forget. The fact that these same senior citizens, basically, who are calling my office, and most of them are senior citizens and older people who have lost their jobs, forget that this Council, with my leadership, helped get lighting in garages so that when they go in they feel a little safer. That doesn't count; what have I done for you lately? Bills that have helped pay for their paramedic service so that when they go to the hospital in a 911 or with the paramedics service, they're not charged. It's charged to suburbanites and to third party payees.

It is unfortunate that we conduct our hearings the way we do. I'm looking forward to a change in that procedure. There should be a public hearing after the four hours of dialogue, not before it. The people are angry; they don't really know why they're angry except that they're justifiable in their anger in the sense that they're either underemployed or unemployed, and they were under the misconception that we were going to subsidize the rich, the 13

limited partnership people. I think it's been clarified today that those people are indeed making a contribution. As Mr. Pollock has stated, it is not a good business venture. For \$2 million, just drawing interest on it would be substantive. They don't get any interest. It is really a charitable contribution with a misnomer of civic contribution. The way they got that, as I stated earlier, through their boards and past their stockholders was that it was a joint venture with the public and private sector and that they were eager to keep the team in this City and it is indeed a civic, charitable contribution.

The unfortunate thing that has brought us to this charitable moment is a very bad PR explanation to the public by the Administration. The Steelers have two people that I know of who are PR people; the Pirates have at least two people that do their PR. But the City of Pittsburgh that represents something like 400,000 people does not have a public relations department that goes out and explains in detail much of the things that we learned here today. It could have been clarified in simple language to members of Council. Mr. Givens did a tremendous job in the presentation that he put together, but with all due respect to Mr. Givens and to myself and the numbers I put out in my summary, which was rather complicated, it isn't concise, it isn't just dealing on a level where people can say, "Okay, it's the same amount of money if you vote for the bond as it is if you don't, but we're going to save 1000 jobs and we're going to do something. You really don't have a choice; you're between a hard place and a rock."

I hope that in the instance of my evaluation of the Pirate team -- I am not a sports fan, I hope Mr. Pollock is right and I'm wrong, I want to lose this one, I want to lose the bet because I want them

to be successful -- I hope that in future dealings we change the method of how we do business so the public doesn't perceive us as the villains that they do perceive us. And I'm hoping that they are watching this and the media reports and that they will report that we spend three hours trying to be sure that we were voting the right way and were not just going along to get along because, as Mr. Pollock said, those of us who run next year who vote for this are really putting our political heads in the guillotine.

With that said, I just want to point out to Mr. Wagner that I had talked to all the parties involved about a certificate of contribution which would be very much like suburbanites giving their \$40 to the commuter tax, the check made out to the general fund. They could buy a certificate which would be titled, \$50 Certificate, Pittsburgh Pirate, Certificate of Involvement. Hopefully, our suburbanites, particularly our reporters, would raise their hands now and volunteer to buy one. I really believe that people who want to support the team would, and I agree with Mr. Wagner. I think we'll raise \$6 million by buying a \$50 certificate. I'd settle for 6; I think 6 is reasonable and logical based on my calculations and polling, which was very, very, very expensive polling. It was done every night for weeks on one of the major networks.

With that said, I don't think there's much more to say except that, Mr. Woods, you're a dear, but you really didn't conduct the public hearing after people had the facts summarized so they could understand them, so they could see that we really care. Next time I hope that when we meet in our meeting, I've already talked to Mr. O'Malley, we want to change the public hearing method of operation.

Mr. O'Malley:

I'm going to be brief. I think almost everything that could have been said, has been said. I think there were many opponents but I think what members of this Council have to realize is that all the opponents spoke out against helping the Pirates, which surprised me, all the opponents who spoke out against members of this Council trying to save 1000 jobs, none of these opponents offered us an alternative plan, except possibly, real possibly, letting the Pirates leave Pittsburgh.

What the opponents also forgot to point out to the public is that the City of Pittsburgh now owns the Stadium and the City of Pittsburgh is responsible for the debt service on the Stadium and that that City of Pittsburgh is responsible for maintaining the Stadium. If we did lose the Pirates, if this Council did not support this bond issue and there's a possibility that the Pirates filed bankruptcy, broke the lease, left the City of Pittsburgh, we still own the Stadium and we're still responsible for maintenance. Can we afford to maintain that stadium just for nine home Steeler games? I asked that same question back in 1982. Can we afford to own the Stadium, to pay the bond service, and to maintain that stadium for nine home Steeler games and the answer in 1982, during the hearings, was no. So, there's also the very real possibility that if we lost the Pirates that we could also lose the Steelers, the revenue, and the jobs that go with the Steelers. I don't think anybody in their right mind could imagine the City of Pittsburgh without the Pirates and without the Steelers. That's something to consider. If we did lose the Pirates and we did lose the Steelers, we still own the Stadium and we still must maintain limited maintenance on that stadium.

I think on this bond issue that we have, if we don't support it, we have everything to lose and we have nothing to gain. I think this Council is to be proud. I think there's times that we've been ridiculed and I think we're taking a hard stand on a tough issue and I think that the future will prove us right.

Mr. Givens:

I think all the words have been said but some remarks were made at the Wednesday carry-on meeting that we just had a couple hours ago that I felt somewhat amazed about in that getting down to the final markers that I had up before Council, it took many hours to get it down to that particular point. All kinds of bonding issues and issues of this type are very intricate, financial, undertakings. A lot of the people do not understand them but they do understand the bottom line and hopefully that those charts that I did portray indicate the bottom line.

Some people were fearful that this Councilmember did not know what the contract was and there was a void. I submit to all the Councilmembers that this same document was submitted to us by the Grant Liberty Hotel Development of which this Council passed on and which, at the time, I served on the Urban Redevelopment Authority Board and I knew that Mr. Gariti, the counsel for the URA did much work in that particular document and that was the blueprint of which we used in this particular bond issue. I can assure you that it really ties the other side down. I think as people evaluated that, as they looked at it today, realized that the URA people did one heck of a job and that we used that same particular instrument to work this deal which is coming up very quickly. I was very knowledgeable of that particular document. It's sad that some people were not. And to take an hour

and forty-five minutes to explain that to the public, I felt, took a lot of our time and a lot of our effort. However, if the public feels that they've been enlightened just one little iota, one second, one inch, then I would say that it was all worthwhile and I think all of us have shown patience and I'm happy in that I have never waived in all the months that have pursued and all the people that I have talked to in trying to convince them that this is the best thing for the taxpayers of the City of Pittsburgh and for that position of Pittsburgh, Number One, and I might take my hat off because today is St. Patrick's Day, to the Mayor of the City of Pittsburgh who has never waived in his commitment to this Council to give us the best legislation and the best vehicle possible to keep the Buccos here. Thank you, Mr. President.

Mr. DePasquale:

Mr. President, in 1982, if you'll recall, we had a more heated issue and that was in regards to whether to terminate Mr. Galbreath's lease at Three Rivers Stadium or to continue it. I think all of us on Council at that time were of the opinion that it was a wrong thing to do but Mr. Galbreath at the time was threatening to leave town unless that lease was terminated so we did what we thought was right or best for the City of Pittsburgh and we terminated that lease and the City took that lease over. We took a lot of heat on it but we had to do it just as we have to do what we're going to do today. The only person that was descendant on Council at that time was the present Controller and I just mention that in passing.

Now, some of my colleagues have said they've taken a lot of heat on the issue at present in regards to whether the City should invest in the Pirates or not. Truthfully, maybe there's something

wrong with it or maybe people are starting to say, "Well, I don't want to go near Jeep or I don't want to ask Jeep anything; I don't even talk to him anymore", but I haven't had one person in the City of Pittsburgh in the last three weeks mention the Stadium deal whatsoever. The only deal that they have talked to me about, the only calls I've received, the only mail I've received, was in regards to the dog racing referendum and the wage increase that Council tried to put through a little while ago.

Honestly, I think that the public is saying, whether they're saying it openly or not, but they feel the Pirates should remain, the Pirates should stay, and Council should vote to keep them here. I just want to make that point rather strongly, that for some reason, they're not saying, "Look, don't go for the deal, the heck with the Pirates." I think 90 percent of the people, Mark said 9-1 are opposed to the deal, I honestly think 90 percent of the public, if they were forced to make a vote, would say let's keep the Pirates.

Michelle mentioned about re-elections, what have you. If you recall, in 1982 there were some people who faced running for election the following year and I believe that all of those people won. We had two new people coming in because I left Council at the time and Mr. Flaherty became the Controller. So, if you run the risk of not be re-elected, well then obviously you have one alternative and that's to vote against it.

I say to Michelle and my colleagues, don't be afraid of not being re-elected because the public isn't going to react to that in that respect; they're going to react only if they think you did the right thing or the wrong thing and I think they'll agree, as I said earlier,

almost unanimously that we're going to do the right thing this afternoon in voting for it.

Mr. Grabowski:

Mr. President, I think the main reason why this has drawn such attention and, often cases, a lot of criticism is the fact that we are trying to help a major corporation, a private firm that is very visible. But this concept is not new. The City for years has been helping industry private concerns, mainly through the URA but I'm sure that years ago the City used to try to do it in other ways itself. So, this is not a new concept but the fact that we're trying to help a major concern here, I think that is the issue. I would just hope that we remain true to form and whenever possible to try to help industries stay here just as we're trying to do today.

Other than that, I have no further comments.

Michelle Madoff:

I would like to correct something. Mr. DePasquale, in 1982 we didn't let the Galbreaths out of the contract; we made them stay with it. Maybe if we let them out we would have owned it. We did not relenquish the lease; we made them stay with the lease. We made them adhere to the lease; is that correct? Mr. Chairman, is that correct?

The Chair:

No, we renegotiated their lease for them. Mr. DePasquale is right.

Michelle Madoff:

We let them have a lease of five years?

The Chair:

We let them out of their long-term lease. We renegotiated their lease for them, down so that they had less.

Michelle Madoff:

But it was still more than five years?

The Chair:

The same length of time. We renegotiated their lease.

Michelle Madoff:

Excuse me, but the lease itself had to run to the year 2011 so it was not saleable.

The Chair:

It still runs to that. Right.

Michelle Madoff:

That's what I'm saying. I just wanted to clarify that. The lease was not changed to five years; therefore, it couldn't be sold. So we really locked them in; we did not let them out. We let them out on other things but not on the lease.

I would like to just mention, and I know my colleagues don't want me to do it but I'm going to do it anyway. A note came to the media and not to Councilmembers in the usual style of the Controller saying that it is true to form that City Council is discussing the proposed \$21 million bond issue even before a preliminary committee vote. The bonds are being sold at that moment, at 2:30 p.m., March 17th. Hard week at Council be treated with more rubber stamp contempt.

My understanding is that Councilwoman Masloff is leaving from here to go vote at the URA and if they are doing any preliminary work in getting ready, that's their business. But I don't believe that they are selling stock at this point before we voted, and I resent that kind of comment being made about me and about this body.

The Chair:

I agree with you. They're not selling stock.

Clerk, will you please call the roll.

Michelle Madoff:

Now we can get to voting.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 490

Report of the Committee on Planning, Housing and Development for March 12, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 396

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of City Planning to enter into Agreements with the following groups: Greater Pittsburgh Visitors and Convention Bureau of utilize funds for construction of a new building; Hill District Project Area Committee to assist in neighborhood revitalization activities; Mom's House to assist in rehabilitation of building; and Bedford Dwellings Residence Council to assist in food distribution to unemployed persons."

Which was read.

Also,

Bill No. 432

A Resolution entitled, "Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1986 Community Development Block Grant Program; providing for the execution of Grant Contracts and for the filing of other data; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund

in connection with the Project; providing for the deposit of the funds in a bank account and providing for the payment of expenses within categories. This Resolution amends the 1986 Capital Budget as noted in the line items listed in Section 10."

Which was read.

Mr. Pollock:

Mr. President, on Bill No. 432, if my colleagues will recall, this is the bill that concerns the 15 percent CD cuts that are a result of the Graham-Rudman legislation and are a result of the request by the Department of Housing and Urban Development to re-submit our budget application in light of these cuts.

At our Committee Meeting on Wednesday there was discussion that we were voting on this without any public input and/or scrutiny by City Council of these cuts. That evening, I attended a meeting of the working group on community development. For those of you who do not know what that is, it is a group of executive directors of all of the community based organizations in the City of Pittsburgh, the neighborhood groups that get involved with community development. At that meeting, I submitted to them the proposed cuts and asked for input from them as to what their thoughts were on these proposed cuts, and after some time, they raised several issues which I took down and conveyed to Director Lurcott at City Planning, to Rebecca Lee at Urban Redevelopment Authority and to Reggie Young at City Planning. I am satisfied that the questions that the working group raised have been answered satisfactorily.

One item remains to be resolved and that is the question that residents of the Hill District and members of the Hill District Project Area Committee have

regarding the proposed cut, proposed budgetary cut, of the Cunnard Pool in the amount of \$770,000. I have been informed by Director Lurcott. We have all been assured by Director Brown that this was merely a technical bookkeeping deferral, that the Cunnard Pool was not scheduled to be repaired until 1987 anyway, that the pool was not going to be repaired in 1986. Director Brown assured all of us on Wednesday that the pool would be open for the summer of 1986, that there are repairs that have to be made but she was confident that these repairs would be able to be made and would indeed be made so that the pool would be functionable for 1986.

Despite these assurances, the residents of the Hill District and the members of the Hill District Project Area Committee are concerned that this pool will not be functioning in 1986 and will not be repaired in 1987. Accordingly, they have petitioned this Council for a public hearing, they have come to me through their legal counsel and asked that we hold off on voting on this matter until such time as the public hearing has been held. In discussing this proposal with Director Lurcott, he has informed me that it would be his urgent request that we not withhold final vote on this bill but that we approve the bill so that the application to HUD can be submitted and that we can be in line to receive our federal dollars.

I would concur with Director Lurcott's request, ask that we approve this bill now, and if, after public hearing and if after further discussions with Mr. Stoner, the legal counsel for the Hill District Project Area Committee and with other residents of the Hill District, we are then desirous of amending the budget and submitting another revised application to HUD, then we can do so. Then we can prepare further legislation and further amendments in accordance

with our desires but that we not withhold getting in line for these monies and funds while we can.

Accordingly, I would urge that all of us vote affirmatively on this bill.

Mr. O'Malley:

I agree with Mr. Pollock. In my discussions with Mr. Stoner, he was just concerned that if the monies weren't appropriated this year, they might not be appropriated next year. Mr. Lurcott indicated to all of us that Council could rearrange our priorities, if we see fit, once the CD funds became available to this Council. So, I agree with Mr. Pollock that it's important that we vote on this issue and that this Council in the future deems that those priorities should be rearranged and at that time we should rearrange them.

The Chair:

Mr. Pollock, I remember that Ms. Madoff made the issue with Director Brown. She assured us, Ms. Madoff requested, that it would be open for '86 and the repairs and reconstruction would go on for '87.

Mr. Pollock:

If I could just respond to what the President said, and I told Mr. Stoner this in my office, and I took the liberty of speaking on behalf of my colleagues that he was concerned that if it was taken off the budget application for '86, it might again be taken off for '87. I said I'll tell you this, there is no way that our City Council will permit that to be taken on in 1987 and that that pool will have the \$770,000 for 1987, from whatever source it takes, that that Cunnard Pool will be repaired and/or replaced for 1987.

Michelle Madoff:

I think Mr. Pollock has summed it up. I'd like to just change one thing if we possibly could. This Council is so busy holding public hearings that we don't have time to work on other issue or get anything done. In this case, there's no way that that pool isn't going to be built and if there's a problem in '86 and that pool disintegrates, we're going to do it in '86.

I would like to see a letter of commitment signed by every member of this Council instead of a public hearing. Would that be acceptable? Thank you. It is acceptable.

Mr. Grabowski:

Mr. President, I do not share the same optimism that a number of my colleagues have expressed. I think that once we start deleting projects that were originally intended in this budgetary item, we're going to lose sight of those priorities. I think that we should review this a little more carefully before passing it and I would make a motion that we recommit.

Mr. DePasquale seconded the motion.

The Chair:

I would ask both of my colleagues to withdraw their motions to recommit. I spoke to Mr. Lurcott; we have to get this application in. We can always amend further down the line, a few weeks from now, but we have to get the application in. If you recall when Ms. Madoff spoke about the pool being open in '86, Ms. Brown also said that if she had to fix it out of general fund money she would find the money to redo the pool, whether it's out of CD money, and it might come out of general fund money but she would not leave that pool go.

Mr. Pollock:

With all due respect to my colleague, if you all will recall, I think it was Mr. Givens who first red flagged this item and asked that Council address itself to the budgetary items and that Director Lurcott and Reggie Young prepare briefing points and schedule a conference with all of us prior to our final vote today. Director Lurcott and Reggie Young went over all the items, were prepared to justify each and every budgetary cut, scheduled a conference on Friday afternoon to address this issue and discuss it with all of us. I was the only person that showed up for that conference; there was no one else there.

To delay this any further, I think, would be a waste of time and if the interest had been there, then there would have been more Councilmembers at that Friday afternoon conference to get the first hand explanation of what these budgetary cuts were.

Mr. DePasquale:

I would withdraw my second with the exception, we're saying that there's a time limit here; this has to be passed today?

The Chair:

Yes.

Mr. DePasquale:

Well isn't it possible to amend this to include the Cunnard Swimming Pool?

The Chair:

Mr. DePasquale, in all due respect to everybody here, everyone had another commitment --

Mr. DePasquale:

Excuse me, Mr. President, you're saying we can amend down the line. Why can't we amend today?

The Chair:

How do we know what we're going to amend? There was a conference held at Mr. Givens' request on Friday. I didn't attend; I have no excuse. I had prior commitments. A lot of people here didn't attend. Mr. Pollock is the only one that did attend, I know that, and that would have been the time, when we all met, and that's why Mr. Givens asked for that, that we could make some changes or get some suggestions of what we were going to do. No one attended.

Now, if we go and amend this thing right now, what would you suggest taking out? None of us know. So that's why we should have the conference, that we can amend down the line. We can still meet and we can still talk, but we have to get the application and it has to be in, I believe, by the end of this month. We don't have the time.

Mr. Givens:

Like so many things, Mr. President, I did have a representative there to my knowledge, and as a result, I was the one that asked for that particular meeting and from the discussions that went on at that particular meeting, I feel comfortable to go forward with this particular piece of legislation. I've been approached today, as many of us have been approached, and really what this is is kind of a wish list to HUD saying that these are the programs that we want to go forward with if, in case, we have a cut in that particular appropriation.

Congress has not even acted upon this yet and whether they will or won't, I

don't know. But HUD put a requirement on the City of Pittsburgh that we must reduce by that \$6 million, whatever the case might have been, to other priorities and they just want that there in case it does happen.

This gives a two edge sword. What we're hearing here today gives us the ammunition for Billy Coyne and other local Congressional Delegates in the City of Pittsburgh and around Allegheny County to go forward and tell the people in Washington, D.C. what's going to happen to the City of Pittsburgh if we have to cut back by \$6 million. What programs, what projects are going to have to be cut back? Someplace, somewhere, we have to outline those particular problems and I think this, then, gives our Congressmen a little bit of leverage to show what the impact is to our particular neighborhoods. If we don't use this one particular \$700,000, almost \$800,000 project that was indicated at the Wednesday session, we're going to have to probably go in and get anywhere from 25 to 75 different projects, none of which we'll be able to go forward on because we won't have that 100 percent funding that we're required to have.

So, the Administration, I assume, took this particular one without the idea of cancelling it but with the idea of saying we're going to have to go in there with 25 or 30 different projects and take out 5 or 10 percent of each one of those projects, none of them which will be able to be completed. I think that was more dramatic than taking it out of the one. I don't think it's any idea that we're going to lose this money to start with; Congress hasn't even decided on it. In fact, they gave the budget and now they're going back on their word. That's Reagan administrations, we know that, and that's going to be fought very vigorously in Washington, D.C. in both

the House and the Senate, I hope, and reversed and held at it's present level. They cannot abandon the cities of our United States of America. If they do, Mr. Reagan is going to have much greater problems than what he has right now.

Mr. DePasquale:

Mr. President, you said that we don't know what projects they're taking out.

The Chair:

No, that's not what I said. I said if you tried to amend it right now, how would you amend it? What would you say? Instead of taking this out, put this in?

Mr. DePasquale:

If I may ask a question of a colleague, Mr. Pollock, what projects did they say they were going to do, Mark? You went to the meeting with them Friday; what projects did they say?

Mr. Pollock:

The sum and substance of the meeting on Friday was going through each and every budgetary item and explaining why one was cut as opposed to why one other one was not cut.

Mr. DePasquale:

But they did tell you which would be cut and which wouldn't be cut.

Mr. Pollock:

Right. Now, what's extremely significant that I learned through not only this meeting but through prior investigation was that a lot of the items that showed significant cuts were from

line items where there was a lot of unused money left over from previous years. So what looked like significant cuts were really insignificant because there was so much money in the pool to use that had not been used prior to that.

The Cunnard Pool was a deferral item that they were not going to do for this year anyway, so it would have been unused money to put over to '87 anyway. So why use up that \$770,000 for an '86 request when you weren't going to use it until '87 anyway? Put it through for the '87 request.

The Chair:

Do you withdraw your second, Mr. DePasquale?

Mr. Grabowski:

I'm not withdrawing my motion.

Mr. DePasquale:

I withdraw my second.

The Chair:

We need a second.

Mr. Wagner seconded the motion.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski Mr. Wagner

AYES 2

NOES 6

VOTING NO:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Woods
	(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 491

Report of the Committee on Parks and Recreation for March 12, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 382

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Garfield YMCA for professional services in connection with the Garfield Baseball Association Little League Program at a cost not to exceed \$4,000.00 chargeable to and payable from Code Account No. 1838, Index Code #183806, Miscellaneous Services, Department of Parks and Recreation."
—(SPONSORED BY MR. GIVENS)

Which was read.

Also,

Bill No. 385

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to enter into Agreements in individual amounts less than five thousand dollars (\$5,000.00) with various performers, instructors, artists and other persons with specialized skills in connection with the Department's various recreational and instructional programs."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods

(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 492

Report of the Committee on Public Safety for March 12, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 441

A Resolution entitled, "Resolution the Director, Department of Public Safety, in conjunction with the Director, Department of General Services are hereby authorized and directed to enter into such contracts or agreements as is necessary for the lease or rental, on a temporary basis, of a river rescue boat for the remainder of the calendar year, 1986."

Which was read.

Mr. Wagner:

Mr. President, on Bill No. 441, I would like my comments from last week's Committee Meeting to be brought forward for the record.

Mr. Pollock:

Mine as well, please.

(BEGINNING - MR. WAGNER'S AND MR. POLLOCK'S REMARKS ON BILL NO. 441 - WEDNESDAY, 3/12/86)

Mr. Wagner:

Can Mr. Norton come to the table, please?

Director, as you know, Council has been very concerned about the river rescue situation. After the first accident that occurred back in January, we had a post agenda meeting here with numerous Directors from various departments attending. I believe Councilman Pollock attended it. At that post agenda, we discussed in great detail the river rescue situation. A report was put together. I put a report together dated February 3, 1986, and Council approved that report, I believe, by a vote of 8 to 1, with 1 abstention on February 10, 1986.

One of the recommendations was a piece of legislation in front of us, Legislation No. 441, in the event the Public Safety No. 1 rescue boat was down, which is the Boston Whaler, to go out and rent a boat. There were also nine other recommendations as a part of that report.

What is the status? I know there have been — just yesterday or the day before, there was a news conference. I personally have received nothing in writing as a result of this report, indicating what the status of those recommendations are, and if in fact they are going to be implemented, to make sure that the river rescue operations does not have the same situation occur that occurred a week ago and to make sure that proper equipment is available and any other support systems that are necessary.

Director Norton:

The written report will be put together as a result of your talking point and direction from the post agenda. I'll have that back to you in relating to the various items that we have done.

In regards to this specific matter of renting boats, of course, we have Wallace Act abilities to go in an emergency situation and as directed by Council at that time, if we ever need a boat to be rented in emergency situations, we certainly have the authorization to do that.

I don't want to mislead anyone in thinking that the renting of boats or equipment solves the river rescue problem because it really doesn't. We have looked in the various marinas. There are boats that we can rent, but they are not boats that are designed as the number one boat, the Boston Whaler, that has the open side door that you can pull a person from the water into the craft easily.

We don't have a problem with availability of boats. We don't have a problem with availability of rental craft, and we don't have a problem with availability of boats that we can obtain from the county, but we do have a problem with the specific boat that will do the job for us, and according to our conversations at that time, we are pursuing the determination to see what type of craft is going to be the right craft for us to use in rescue operations.

In fact, this Thursday, and any member of Council is certainly welcome to observe on the Monongahela Wharf area at 11:00 on Thursday morning, we are going to observe an airboat, a demonstration, that we are going to take a look at to see if we can use that kind of a boat as a rescue boat.

So, this is a matter that is not going to be solved over night, but I think it will be addressed when we are talking about permanent equipment.

Mr. Wagner:

Well, Director, in regard to the report of which this one item was one of the recommendations, I totally disagree with you in that you just indicated you do not want to mislead anyone that renting and leasing a boat can solve a problem. It's clearly indicated in that report that when the first boat goes down, that the Administration is giving clear approval to move forward and to get another boat. Now, if that means leasing one, if that means renting one, if that means borrowing one or doing whatever, I don't know, but it needs to be done and it must be done, and I don't look at this recommendation as being a recommendation that is unimportant.

I'll get right to the heart of the matter. I quite frankly feel that the 10 recommendations put forth by this Council were never considered.

Director Norton:

Mr. Wagner, those recommendations came from the Department of Public Safety in concert as a discussion item with yourself and the Department of Public Safety and I would say that that is neither one of our recommendations, but in fact was a joint recommendation that these points were items that should be pursued. So, I certainly think that since we bought into the meeting and we bought into the recommendations and made a number of them, that we would try to run from those recommendations at this time. I think it was a joint effort. I think it was a good effort, and I think we have to continue it.

Mr. Wagner:

Well, I agree with you, and I would like to see a joint effort, and I would like to see an effort move forward, but I tend to believe that the effort is not a joint, and a whole lot of work was put into those ten recommendations based on opinion solicited from you, from various people in Public Safety and other departments in the City and a lot of investigation work that my staff did. I personally feel that there must be a boat in the river at all times that is capable of rescuing people.

Director Norton:

I totally concur with that.

Mr. Wagner:

Director, in regard to these recommendations, I have still not been reassured even though I stood through a press conference the other day, and I listened to the recommendations being made by the Administration of which half of them were the recommendations put forth by this Council that we not followed through, to my knowledge, and as a result of sitting through and listening to those recommendations, I am still not reassured that we have solved the problem. I'll get to the heart of the matter. If renting or leasing a boat is not considered to be a way of solving the problem, I'll clarify how it is a way of solving a problem at least in a situation that could be similar to other situations that we had on our rivers.

Right now, we have two boats, the Boston Whaler and we have another boat, plus we have pontoons, that are available right now to respond to any rescue situation. In the event the Boston Whaler goes down again, as it has two times within the last two months, and we had as a backup, what I consider the

fishing boat, and not a rescue boat, that wasn't operating properly itself, that was our backup, that is still our backup, and we have pontoons that would be our backup.

In the Pittsburgh rivers this time of year, if ice forms, if high water conditions exist, if debris ends up in the river, the pontoons themselves are a hazardous craft to go out on the river on. We are actually jeopardizing the lives of those in the craft. I want to be reassured based on this legislation that if the Boston Whaler boat goes down, that immediately within an hour or a half hour, that we have a proper rescue boat to replace that. I'm not comfortable that a pontoon boat is the proper river rescue boat in these weather conditions. And, so therefore, I look at this legislation being extremely important and could possibly save the life of someone on one of our rivers, and I'm hoping that the Public Safety Department considers it that way also.

Director Norton:

I'm going to have to go back -- I don't want to mislead you. I think we have to go with the fact that if the Boston Whaler goes down, and with your own words, sir, you're asking us for a proper rescue boat, and I'm here to tell you right now that if the Boston Whaler goes down in this area, there is no proper rescue boat to rent.

Yes, we can rent a boat. Yes, we can rent a cabin cruiser. Yes, we can rent a boat that has an inboard. Yes, sir. And we will have a boat out there. But, with your words, and our conversations before, it is not a proper rescue boat. It will be a stop gap. It will get us from the scene to the scene of a rescue. But, what was the problem this last time. The problem was trying to bring the victim into the boat over the

side. That was the problem that was developed in the rescue attempt. We're going to have that same problem no matter what boat we rent. If we rent a cabin cruiser or if we rent any other type of boat unless it has a platform at that water or it has an open side door, and those are the things that we talked about during your meeting that are things that we have to identify, find, buy and supplement our present fleet, and that is part of what we are going to do, but, sure, I hear you loud and clear that we have to have a boat, and as soon as we are advised that the number one boat is down, that's when the backup boat comes. But it is not a proper rescue boat.

Mr. Wagner:

Well, a proper rescue boat is one that can reach the scene in a quick a fashion as possible. The backup boat that we have now isn't even suitable for that because it wasn't running properly two weeks ago when we had a river rescue situation. For that reason, and for the additional reason that the first boat was not in operation either, and we did not move to replace that boat on the river, and for the following reason which you just indicated, that you need a proper type of boat to pull someone into the boat for river rescue purposes. There may not be another Boston Whaler in the Pittsburgh port, that's true, but there are boats that are somewhat comparable boats that can be adapted to the situation and can be utilized to haul someone into the boat, whether it be with a ladder, platform, a hoist, or whatever. I don't know what it is.

The only point I want to make is that I want to be reassured that we do not sit from an equipment point of view, in the same situation that we have been in two previous times in 1986. And I think that if an agreement is made with

a local marina company to go out and lease a boat immediately and have one available to lease immediately that is capable of navigating our rivers and rescue operation to use as a backup to our Boston Whaler, we will not be in the same situation we were in before and hopefully on a permanent situation we will have a duplicate boat that we will purchase, and I'm sure this Council will allocate the dollars for it, in the future.

My whole problem is, to be quite frank, is that I'm still not reassured of that. I can sit through news conference after news conference and I'm not reassured because this Council put together a report six weeks ago, and we have still not had a response to it, and I need to be reassured of that.

I represent a different group than you do. You represent the Executive Branch of Government, and I represent the Legislative Branch of Government and you don't report to me, and my only authority is with five members of this Council. And this Council wants to solve the problem just as the Administration wants to solve the problem, but still again, we are not reassured simply by news conferences that the problem has been solved. I have not been reassured.

Director Norton:

And I don't want you to be reassured because the problem has not been solved, but I think this legislation certainly is a right step. We need it. There is no question about it. I guess I'm just waving the flag and saying it isn't going to solve all problems, and we are going to have to continue with the other talking points that we have had; the permanent equipment.

Mr. Wagner:

Well, I would hope so, and I want

you to know that this Council fully supports that and that's the reason for the support of those recommendations that were made in the report submitted to various department heads and the Administration itself recently.

I'm hoping that we do have a boat or a contract with a marina company to rent a boat immediately in the event we need one, and that's what this legislation pertains to.

Director Norton:

Thank you. And we need it.

Mr. Pollock:

Okay. Just so we all understand, on the bill, does the Boston Whaler have the entrance at the water level? The Boston Whaler is the ideal boat?

Director Norton:

Well, not every Boston Whaler. Boston Whalers -- there are a lot of Boston Whalers that don't have --

Mr. Pollock:

But ours does?

Director Norton:

Yes.

Mr. Pollock:

What is our backup boat now?

Director Norton:

That boat has been scow, but at the present time, that's being relegated to a fourth boat, the backup boats are two pontoon boats.

Mr. Pollock:

But those aren't able to bring a person in the water into the boat either though, are they?

Director Norton:

More easily than the scow and probably less easier than the Boston Whaler

Mr. Pollock:

And does the scow -- is the scow now the fourth boat, because of that very reason?

Director Norton:

It never has been designed for rescue, and I think that's the whole issue here. These boats, in the direction that have been given to police, they have been river patrol, and what we are trying to do is implement river rescue, and it's a completely different concept.

Mr. Pollock:

Would it be possible to convert the scow into a river rescue boat, by not having an open door, but maybe putting a block and tackle and harness on the boat?

Director Norton:

I think we have some major problems with the motor, putting the maintenance of the engine because of its location, and I think that's a good idea as a stopgap measure, but I think it is something that we could certainly take at look at.

Mr. Pollock:

If the motor is bad, why don't we buy a whole new scow or a good used

scow?

Director Norton:

That's what we are looking at right now. We're taking a look Thursday morning at this iceboat. It's only \$20,000 and it can go up over ice.

Mr. Pollock:

And would it have an open door?

Director Norton:

It has a place where you can pull people on. It would have to be used in conjunction with a second boat, I'm sure.

Mr. Pollock:

Well, that's no good because —

Director Norton:

Well, you still have your pontoon boat to have your divers.

Mr. Pollock:

If we do buy this other boat, maybe put a block and tackle and harness on that boat.

Mr. Wagner:

It's not as good.

MR. GRABOWSKI COMMENTS

Mr. Pollock:

Just so I understand. Isn't this legislation almost redundant in the sense that you already have the authority by the Wallace Act in the sense that if all of the boats are down, he can go out tomorrow and lease a boat with any kind of Council approval if it's on an emergency basis.

Director Norton:

And Council has already directed me to do that.

Mr. Pollock:

One quick question. If we go out and get the boats that you've talked about today, what function does the pontoon serve?

Director Norton:

The pontoon boats are diving boats.

Mr. Wagner:

Just in response to Mr. Grabowski. I agree with you that it is better to purchase rather than lease. All this legislation is doing is serving as an interim replacement until we can go out and lease a boat. We stand today in the same situation we stood two weeks ago when we did not have an adequate boat for river rescue and very easily our Boston Whaler could break down again and we would be sitting with our fishing boat and pontoons with hazardous water conditions we would risk the life of those in them, our personnel in them, and we would need another boat, and this legislation is simply no more than permitting the Administration to go out and lease a boat during an interim period until we could either buy one or replace the ones that we have.

MR. GRABOWSKI COMMENTS

Mr. Wagner:

I'll respond to that. We don't do enough right now and that's the reason we have had fatalities on the river and we can have more fatalities.

I just sat through a meeting that I had two weeks ago.

What I'm asking is clearly permissible at this table, Mr. Chairman. That is the purpose of the Committee Meeting.

THE CHAIR COMMENTS

Parliamentarian:

They should be addressing the issue, the Chair.

Mr. Wagner:

The ruling is, Mr. O'Malley, that I can question anybody at this table.

THE CHAIR COMMENTS

Mr. Wagner:

I don't think you understand the rules of procedure.

THE CHAIR COMMENTS

Mr. Wagner:

I am well aware of Council procedure and what the purpose is of a Finance Meeting and I will continue to do what I have been doing.

THE CHAIR COMMENTS

Mr. Wagner:

In regards to the boat issue, we do have a responsibility and what is most important is that we have a responsibility and hopefully this legislation is just one of the small ways in which to designate whose responsibility it is. The overall plan must be to purchase boats -- I agree with you that it must be to properly patrol and hopefully we can convince the Coast Guard to move from the part below the Emsworth Dam to the Pittsburgh Port and we can get them more involved and

the Fish Commission more involved and others like the County move involved, but first of all I think it's our responsibility and we should continue to solicit the help of other municipalities and other bridges of government until we are absolutely certain that we have the river patrol safeguarded.

MR. GRABOWSKI COMMENTS

Mr. Wagner:

Well, we have a responsibility to our residents and that responsibility is to protect them.

Mr. Pollock:

Just so I leave the table understanding, you are currently looking to buy a boat now? Is that definite, or are you just --

Director Norton:

Yes. Thursday morning we are taking a look at the airboat. We are also looking at where we can find an additional Boston Whaler so that we have two Boston Whalers. We're looking to see if we can find it in stock somewhere without having to wait for it to be built.

Mr. Pollock:

What if you do find it, will you buy a second Boston Whaler?

Director Norton:

We have to come to Council.

Mr. Pollock:

You propose to buy it?

Director Norton:

Yes.

Mr. Pollock:

So, we'll have two Boston Whalers and then a third scow?

Director Norton:

That boat is really a bottom dragging boat. If you have a body in the river, we will probably always use that boat to drag the river. It will be fourth or fifth in line.

Mr. Pollock:

Someone brought up the problem of there not being adequate river fire protection. Is there any way, as long as we are buying a boat, that we make the new Boston Whaler you are buying, make it a Boston Fire boat so it may have fire equipment on it?

Director Norton:

The Boston Whaler we have now has a pump, and I would anticipate that the second boat would also have a pump.

Mr. Pollock:

Okay.

(END OF REMARKS)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mr. Pollock
Mr. Givens Mr. Wagner

Mr. O'Malley

Mr. Woods
(Pres't)

AYES 6

NOES 1

(MR. GRABOWSKI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 493

Report of the Committee on Engineering and Construction for March 12, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 376

A Resolution entitled, "Resolution amending Resolution No. 1283 of 1985, entitled: 'Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program,' by creating a new line item, and adjusting the Summary Totals."

Which was read.

Also,

Bill No. 378

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Replacement of Six (6) Overhead Doors at No. 5 Fire Station (Herron Hill); and providing for the payment of the cost

thereof."

Which was read.

Also,

Bill No. 379

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with Carnegie Library of Pittsburgh in connection with the design and construction of the new Dr. Martin Luther King, Jr., Reading Center and Monument; and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 380

A Resolution entitled, "Resolution providing for the grant of an easement to Columbia Gas of PA Inc., for the relocation of a pipeline and appurtenant equipment over and through certain City owned property in the 18th Ward."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods (Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Grabowski presents

No. 494 WHEREAS, on August 6, 1984, the Council of the City of Pittsburgh passed Resolution No. 676 requesting the Pennsylvania Department of Environmental Resources to create an adjunct to their mine subsidence insurance program which would give the City of Pittsburgh the option to purchase, at a discount, group insurance for all properties within their jurisdiction that are affected; and,

WHEREAS, to date, the Council of the City of Pittsburgh has only received an acknowledgment of this novel concept but no further report of action from the Pennsylvania Department of Environmental Resources; and

WHEREAS, last week the homes of several residents of Bryn Mawr Road in the City's Hill District were seriously damaged by mine subsidence, causing ruin to the properties and suffering to the displaced residents.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby requests that the Pennsylvania Department of Environmental Resources seriously reconsider this novel concept of group mine subsidence insurance.

Mr. Grabowski moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Pollock:

Discussion. Steve always comes up with the most educational bills and I always like to know a little bit of history about it since this was before I got here.

What happened? Did they say no to this? Could my colleague, Mr. Grabowski, give us some history of this for those of us who weren't here at the time?

Mr. Grabowski:

Councilman Pollock, back in August of 1984, I made a presentation to City Council and in fact to the citizens of Pittsburgh dealing with the potential danger of mine subsidence insurance throughout the City of Pittsburgh. The fact of the matter is that one third of this City is undermined. It's not a question of if it will subside, but when it will subside.

It was my desire at that time not only to make, well, it was my intent to make people aware of this problem but also I came up with an idea. Realizing how human nature is, many people, even though they may realize that their home is over a mine, they may not think too seriously about purchasing the private insurance that the State offered just by the fact that human nature being what it is. It was my idea that perhaps the State could formulate some type of group mine subsidence insurance to protect all of those homes that are above the mines.

Council passed that resolution unanimously and we forwarded it to the Department of Environmental Resources and the only response that I'm aware of was that the secretary wrote back and said that it's a very novel concept. It may require an act of the General

Assembly. We'll keep you posted. That was the last that we heard of that.

Well, now I think that the recent occurrences up in Schenley Heights that it's time to resurrect this concept and let's ask the Department to give it further consideration and possibly come up with some sort of group policy and if they do in fact come up with a policy, when the specifics are known then we can decide if it's something that we as a city would like to participate in. But right now we don't have that option.

Mr. Pollock:

Could we not pursue this maybe with the Insurance Commission in addition to DER?

Mr. Grabowski:

I don't think it's relevant to the Insurance Commissioner in light of the fact that there are virtually no private companies that will insure against this and the mere reason is because mine subsidence is such a foregone conclusion that these insurance companies don't want to lose their investments. Only the State will offer it and the only reason they offer it is because the private sector will not because, as I say, it's just a matter of when. It's a high risk.

Mr. Pollock:

I'd like to thank Mr. Grabowski for not only educating this Council but also the residents of the City of Pittsburgh.

Mr. Wagner:

Mr. President, I would just like to compliment Councilman Grabowski on his foresight on the issue. This original resolution was a year and a half ago and sure enough that problem has occurred and it appears as if it's going to continue

to appear.

Mr. DePasquale:

I just want to say in regards to what Steve was talking about, back in '84 we discussed the matter. I told him then and I'll tell Council now, it's not a secret, that all of the Oakland business area is mined, all of the University of Pittsburgh is mined, including Pitt Stadium. As Steve said, it's not a matter of if it happens, it's just when. It could happen any day.

Mr. Grabowski:

One further comment I'd like to make and perhaps I'm bringing up a sore subject but it was my intent to make as many people in the City aware of this as possible. About a year ago, you may recall the Grabowski newsletter that aroused such controversy. Well, the main feature in that newsletter was about mine subsidence and I understand that one of those residents up in Schenley Heights had the insurance. That's a rumor, I'm trying to substantiate that. But if that individual purchased that insurance because of that newsletter, that money was well spent.

Mr. Pollock:

I understand the other ones didn't because they never got the newsletter and they're very upset about it.

Mr. Grabowski:

Mr. President, before we get into the next resolution, I'd like to follow up on last Monday's session when we passed the resolution dealing with the fact that the City is not permitted by State law to pay interest on property tax or income tax refunds.

I indicated that I was going to

Harrisburg on Thursday to testify before the House Finance Committee on a bill that would correct the situation and I just want Council to know that I did attend that meeting and the Committee reported that bill out unanimously and possibly this week it will be considered by the full House.

I just wanted to keep you up to date on that.

The Chair presents

No. 495 WHEREAS, the Senate of the Commonwealth of Pennsylvania is presently considering the adoption of Senate Bill No. 1211;

AND, one of the basic principles behind the adoption of the Bill is to encourage the construction of refuse burning plants, thereby replacing an efficient and economically sound system of municipal landfills;

AND, the Bill has been referred to the Environmental Resource and Energy Committee, and 3 public hearings have been convened in Harrisburg, Philadelphia, and Wilkes-Barre to discuss the merits of the Bill;

WHILE, the adoption and construction of a single resource recovery incinerator plant is estimated to cost approximately \$100 million, the Commonwealth intends to finance these costs by imposing tonage surcharges on landfill waste management which will effectively double local per-ton costs within a 3 year period;

ADDITIONALLY, the Senate Bill intends to transfer complete responsibility of solid waste management from individual municipalities to the County, encouraging a scenario of taxation without representation. The residents of the Pittsburgh area were

never consulted or made aware of these hearings so as to state their feelings for or against the bill.

NOW, THEREFORE, BE IT RESOLVED that the Members of the City Council of the City of Pittsburgh strongly urge the Senate and the Environmental Resource and Energy Committee to schedule a public hearing on the merits of Senate Bill No. 1211 in Pittsburgh to discuss the merits of the proposed Bill.

BE IT FURTHER RESOLVED, that all sponsors of Senate Bill No. 1211 receive a copy of this Resolution along with the Speaker of the House and Senate to draw their attention to this Council's opposition to scheduling of public hearings in the Commonwealth without the interest and input of Western Pennsylvania residents.

Mr. DePasquale moved to adopt the resolution.

Mr. Givens seconded the motion.

Michelle Madoff:

Discussion. This is the business that I consult in. As a matter of fact, if you read today's paper you'll see that the Director of EPA is very frustrated, has a chemical lack of funding and the two major issues of the '80's and '90's are going to be toxic waste, hazardous waste control and converting of garbage into kilowatts.

I personally led the battle as President and founder of GASP to shut down the Chamber's landfill incinerator. So, I can see that there are many of us who feel that incineration that is not done properly is a very bad way to go and landfills in 1969 to about now were probably the only way to go.

The problem is not a regional problem, it's a universal problem. Philadelphia, Mr. Pollock, has a problem right now of having to pay \$90 a ton to transport their garbage to areas who don't want it. They have a tremendous problem.

Washington, D.C., the Blue Plains Plant, is producing mountains and mountains of refuse that they have no landfills to put it in. It's a national crisis problem. The material that Washington Blue Plains is producing that looks like mountains is beginning to disintegrate and it is again forming hazardous situations both in the fumes it's giving out and the chemicals and it's heating up to the point where we could have fires and they do have fires going for miles.

There are answers by corporations who are dealing in this solid waste to kilowatt through incineration by recycling, creating the energy to burn the garbage so that we don't have to have high energy cost. One of the problems, for example, the Chamber's landfill was old, it was ineffective, it didn't burn cleanly, but there was a major cost in energy, in the cost of the natural gas, that made it not cost effective. The newer modular conversion plants in garbage to kilowatt provide for the actual garbage to provide the energy.

I would hate to see this Council taking a position in opposition to what is needed desperately around the country because we are fortunate in this area of having landfills that are conveniently located and in some cases, some of our communities in the counties can go to a landfill for \$5 a ton. What does our landfill cost right now?

The Chair:

\$6.80.

Michelle Madoff:

Okay, so that our landfill costs are not very high. But that doesn't mean that in this area we are going to go to --

The Chair:

Michelle, if I can interrupt you for one minute, the resolution simply states that we would like to have a public hearing concerning this bill in Western Pennsylvania, particularly Pittsburgh, because if this bill passes, we're going to double our cost of tipping fee. \$6.80, in three years we'll be paying over \$12.80.

That's all it says, that we want a public hearing so that we can voice our opinions as individuals or as a Council, whatever. We're just asking for a public hearing in this area. That's all it's stating. Then we can discuss the merits or non-merits of the bill and it says that in this resolution.

Michelle Madoff:

I understand what you're talking about, the assessment on tonnage to pay for the -- I'm looking at your own paragraph 4 where you didn't just address the issue of should we have a hearing so we could have our input but you also are talking about what it would mean.

It would seem to me that in the areas where you're going to burn the garbage, that area should have the assessment, not necessarily in our areas.

I'm not so sure that ultimately we better not start looking ahead for the days that we don't have landfills and the cost of trucking becomes expensive. I've had calls to my office saying that dumping our garbage sometimes or most of the time takes 45 minutes out and 45 minutes back and that's not talking about stopping for whatever one has to stop

for, gas, coffee, or the time to dump the garbage. We're talking about 2 hours of transportation time. Maybe the gasoline is not factored in. In our Pirates we're talking about money coming into the community. We're not talking about all the ramifications. Maybe we'd save money by tonnage assessment if we were saving money on the trucks going as far as they have to go or there are other variables that we don't know about.

Again, before I would want to testify on this hearing, I'd like to know why they're proposing it, what's good about it, and then have some input.

I have no problem and I agree we should have a hearing in this area. But if we don't have a hearing in this area, I personally plan to go either Harrisburg, Philadelphia or Wilkes-Barre to testify.

The Chair:

Those three hearings are over. That's why I introduced this resolution. Those three hearings are over. That's what bothers me, that they're ready to take action on this piece of legislation and it would affect us most because we don't have a problem and they're going to double our tonnage and give it to another --

Michelle Madoff:

But we may have a problem in the near future and I need to look at the stats on this community. Maybe they've looked at our stats.

The Chair:

Ms. Madoff, all I'm asking for is a public hearing.

Michelle Madoff:

Michelle Madoff is the name.

Mr. DePasquale:

I don't intend to debate the issue here and I don't intend to dispute with Councilwoman Michelle Madoff; she's entitled to her opinion as well as I am or anyone else. I just want to bring out a couple of factors as to why the hearing should be held and why it's so important.

Number one, it favors the eastern part of the state, deafen of the west.

Number two, the rates at Alcosan, and you know I'm Chairman of the Board down there, haven't been raised in 11 years. An increase in the surcharge means an automatic increase.

The surcharge you're talking about you brought out awhile ago is going from something like \$6 to \$12. So, \$5 or more a ton which automatically will be put on the taxpayers of Allegheny County and the services of Alcosan.

Now, in regards to the problems, and Michelle pointed it out very well, we went from incineration to landfill at Alcosan because of the poisonous gases incineration sent off and also because of the terrible odor. Those of you on Council who were there at the time remember the complaints at Brighton Heights and other people in the North Side and other parts of the City of Pittsburgh. Some of those odors were so terrible that I recall one incident where I was called on a Saturday. A wedding was cancelled and half the people passed out and they were running all over the place screaming and hollering. I could hear the people in the background and I finally said to the priest who called me, I said, "What does it smell like?" and he said, "I don't want to repeat it over the phone."

So, you see what you're going to get into if this bill goes through and we have to go to incineration again in this

area. Obviously, the other areas have different problems. In fact, in the state of Pennsylvania, Philadelphia has received from DER in 10 years \$500 million because of their faulty operation. Alcosan in comparison, and other plants throughout, have received practically nothing. Alcosan's amount was \$2 million. So, from \$500 million to \$2 million just because they weren't operating properly and when we were told that you're operating properly so therefore we're not going to give you any money.

Now we're talking about passing a bill to give Philadelphia more aid. I think whatever you do there, as someone stated earlier, is throwing good money after bad. There's a hopeless situation out there.

Michelle Madoff:

Excuse me, Mr. Chairman. The technology of 1969 is not the technology of 1986. You can burn garbage, you can burn it cleanly, you can burn it inexpensively and you don't get odors. One of the problems with Alcostench, as we used to refer to it, is that it didn't do it properly.

Mr. O'Malley:

In response to Bill 1211, those of us on the Board of Alcosan oppose this bill 100 percent. We're hard pressed to understand why a Senator, Senator Fisher from Western Pennsylvania who is a candidate for Lieutenant Governor, would put up a piece of legislation that primarily would benefit Philadelphia at the expense of all the municipalities of Western Pennsylvania. If this one piece of legislation was to pass, we estimate at Alcosan that our bill would increase a half million dollars a year and we're just one municipality; we're not talking about the rest of the townships in Western

Pennsylvania.

It's my understanding that the League of Municipalities is coming out very strongly against Senator Fisher's bill.

The Chair:

The City of Pittsburgh refuse disposable would double if this passed.

All in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Pollock:

One quick one; it's very short. Can we televise the public hearing on the garbage tomorrow because a lot of the people who own stores and who want to know what's going on — It is televised?

The Chair:

Right.

Mr. Pollock:

Thank you.

Mr. DePasquale:

Mr. President, before we adjourn, at the last public hearing which was quite noisy and quite out of hand until you took charge, I understand there was a party in here with a gun.

The Chair:

Yes.

Mr. DePasquale:

Now, as one of the policemen told me, and I know he didn't mean it like he said it, he said he had a permit. There's nothing to stop anybody with a permit or

without one if they have a gun to start shooting.

I was just wondering, if it's not too expensive, that we should look into the matter of scanning people at hearings when they come through that door because if one person got in with a gun somebody else can. Fortunately, that person didn't use it but what's to stop somebody from acting up and actually pulling a gun out. It happened in Baltimore, it happened in some other city that I can't recall off hand, where a total of four Councilpeople were killed.

The Chair:

We're going to look into it.

And on the motion of **Mr. Grabowski**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX Monday, March 24, 1986

No. 12

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk
Pittsburgh, PA
Monday, March 24, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

ABSENT:

Mr. Givens

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. DePasquale presented

No. 496 Resolution providing for the issuance of a warrant in favor of Tony Baiano Construction (Anthony Baiano, President) in the amount of \$3,685.00 in payment of Extra Work being in addition to the original contract price of \$108,520.00 on Controller's Contract No. 27854-F, furnished for the benefit of the City in connection with the Reconstruction of Norte Way Wall, payable from Code Account CDPW 83-35. This extra work consisted of revised retaining wall closure and addition of a manhole for a reconstructed sewer line. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 497 Resolution amending Res. No. 771, effective August 23, 1985, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants for the Removal and Disposal of Hazardous and Industrial Wastes encountered during the excavation of Pier 4 of the Bloomfield Bridge Project; and providing for the payment of the costs thereof," and increasing the total project allocation from \$60,000.00 to \$72,000.00, chargeable to and payable from Code Account PW 82-12.

Also,

No. 498 Resolution further amending Res. No. 319, effective April

10, 1985, as amended by Res. No. 1081, effective December 4, 1985, as amended by Res. No. 122, effective February 24, 1986, entitled: "Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants, to perform professional services on various City Facilities on an "as-needed" basis, in response to the Capital Budget Program; and providing for the payment of the cost thereof," by increasing the total project allocation from \$160,000.00 to \$296,301.50. This amendment will cover professional services for various City project, including but not limited to the following projects: Fire Station Floors, Salt Storage Dome, Lighting of Warehouse, Structural Analysis of Fire Stations, and Department of Public Works' Second Avenue Building.

Also,

No. 499 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Construction in connection with the Renovation of Various Park Facilities; including but not limited to: Ormsby Recreation Center - Entrance, Warrington Recreation Center - Entrance, McKinley Park - Entrance & Windows, Clemente Park Ramp - Doors, Banksville Recreation Center - Sound Control, at a cost not to exceed \$50,000.00, payable from Code Account EC 86-83.

Also,

No. 500 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation at the Pittsburgh Zoo, including the North American Paddocks at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account EC 86-34.

Which were severally read and referred to the Committee on Engineering and

Construction.

Mr. DePasquale for Mr. Givens presented

No. 501 Resolution granting unto the University of Pittsburgh, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Pedestrian Bridge over on a portion of the Terrace Street and Sutherland Drive in the 4th Ward, City of Pittsburgh.

Also,

No. 502 Resolution accepting the dedication of property on the Southern side of Liberty Avenue, along Liberty Avenue near Grant Street, for widening and public purposes, in the 2nd Ward, City of Pittsburgh.

Also,

No. 503 Resolution accepting the dedication of property along Liberty Avenue near Grant Street for street widening and other public purposes, in the 2nd Ward, City of Pittsburgh.

Also,

No. 504 Resolution vacating Elwell Way from Keefe Street to point on centerline 135.92 feet easterly in the 31st Ward of the City of Pittsburgh.

Also,

No. 505 Resolution vacating Congress Street from Fifth Avenue to its northwesterly terminus (170±) in the 3rd Ward, City of Pittsburgh, excepting and reserving easements for the existing water and sewer lines.

Which were severally read and referred to the Committee on Public Works.

Also,

No. 506 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the furnishing and delivery of sideloading refuse containers for use in conjunction with Pak-Mor or equivalent, sideloading refuse compaction vehicles at a cost not to exceed \$100,000.00, payable from Code Account 1175, Department of Environmental Services.

Which was read and referred to the Committee on General Services.

Michelle Madoff presented

No. 507 Resolution providing for the issuance of a warrant in favor of Metro Equipment Repair Company in the amount of \$994.50 in payment for repairs to two generators and two pumps, chargeable to and payable from Code Account 1984, Repairs, Department of Water. (PRIOR APPROVAL GRANTED)

Also,

No. 508 Resolution providing for the issuance of a warrant in favor of Perkin-Elmer Corporation, CitiBank Del, Box 7247-9000, Philadelphia, PA 19170-9000 in the amount of \$558.00 for repair to Atomic Absorption Spectrophotometer utilized in the Water Treatment Plant Lab, chargeable to and payable from Code Account No. 1974, Repairs. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on Finance.

Also,

No. 509 Communication from Daryl Smith, Director, Department of Water, requesting authorization for Raymond Wisloski and David Kearney to attend the 13th Annual Conference of the American Water Works Association, Pennsylvania Section in Seven Springs,

Pennsylvania from May 4-7, 1986, at a cost not to exceed \$500.00, payable from Code Account No. 1922, Miscellaneous Services.

Also,

No. 510 Communication from Daryl Smith, Director, Department of Water, requesting authorization for Thomas Bruecken, Raymond Wisloski, Ronald Duray, John Koller, James McNamara, Ronald Orwig, Stanley States and Chester Grassi to attend the 61st Annual Safety Health and Security Conference and Exhibit in Monroeville, PA from April 8-10, 1986, at a cost not to exceed \$360.00, payable from Code Account No. 1922, Miscellaneous Services. Permission is also requested for use of a City vehicle.

Also,

No. 511 Communication from Daryl Smith, Director, Department of Water, requesting authorization for Ronald Florian, Joseph Garforth, Thomas Allman, and John Lancia to attend an On-The-Job Safety in Public Works Clinic in Coraopolis, PA on April 29, 1986, at a cost not to exceed \$200.00, payable from Code Account No. 1922, Miscellaneous Services. Permission is also requested for use of a City vehicle.

Which were severally read and referred to the Committee on Water.

Mrs. Masloff presented

No. 512 Resolution amending Res. No. 53, effective February 12, 1986, entitled: "Providing for an Agreement or Agreements with the Civic Light Opera for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986," by increasing the authorized amount from \$20,000.00 to \$25,000.00,

chargeable to and payable from Code Account No. 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation. —
-(SPONSORED BY MRS. MASLOFF)

Which was read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 513 Resolution supplementing and amending Res. No. 1281 of 1985, effective January 1, 1986, entitled: "Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1986" by increasing estimated revenues and establishing a line item appropriation entitled: "URA Development Loan."

Also,

No. 514 Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to provide funds for the making of funds for the making of loans in connection with the Urban Redevelopment Authority's Business Reinvestment Fund in the amount of \$20,000,000.00, chargeable to and payable from Code Account No. 52, URA Development Loan.

Which were read and referred to the Committee on Finance.

Mr. O'Malley moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Pollock presented

No. 515 Resolution amending Res. No. 1283, entitled: "Adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986-1991 Capital Improvement Program", by changing two code accounts, one project title, and adjusting a clerical error, for the cost of a prior year funded project.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

No. 516 Resolution amending Res. No. 1439 of 1981, as amended, entitled: "Approving the submission and budget for the 1982 CDBGP", by deleting a line item and adding the "Site Improvements for Housing Development in Homewood" line item in the URA.

Also,

No. 517 Resolution amending Section 11 of Res. No. 1267 of 1977, as previously amended, entitled: "Providing for the filing of an application by the City with HUD for a grant in connection with the 1978 CDBGP", by decreasing a line item and adding the "Site Improvements for Housing Development in Homewood" line item in URA.

Which were read and referred to the

Committee on Planning, Housing and Development.

The Chair presented

No. 518 Resolution providing for an Agreement or Agreements with the St. Clair Citizen's Council for professional services at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account No. 1103, Miscellaneous Services, Department of City Planning. —(SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 519 Communication from Michael Perry, City Clerk, requesting permission for Linda M. Johnson, Assistant City Clerk, to attend the National Forum for Black Public Administrators' Forum '86 Conference, held April 27-30, 1986 at a cost not to exceed \$1,000.00, payable from Code Account 1003, Miscellaneous Services, City Clerk's Office.

Which was read and referred to the Committee on Finance.

Also,

No. 520 Petition from Nitro Entertainment, requesting a public hearing to decide the future of developing a Marina/Restaurant Complex for the Stadium Area. This petition is valid in accordance with Section 320 of the Home Rule Charter.

Which was read and referred to the Committee on Planning, Housing and Development.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 521

Report of the Committee on Finance for March 19, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 407

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of M. DePasquale (Mario DePasquale, President) in the amount of \$5,110.00 in payment of Extra Work, being in addition to the original contract price of \$349,151.20 on Controller's Contract No. 27078-F, furnished for the benefit of the City in connection with the Reconstruction of the Stadium Street Wall; and providing for the payment thereof."

Which was read.

Mr. DePasquale:

Mr. President, in regards to Bill 407, do all the Councilmembers have a copy of the opinion of Solicitor Pellegrini? I'm referring to the section of the Ethics Act pertaining to voting in favor of a relative.

The Chair:

Yes, everybody has it.

Mr. DePasquale:

Okay.

Michelle Madoff:

I would like to comment on that, Mr. President. When Mr. DePasquale was on City Council before his return, for eight years he did what he believed to be proper, which was to abstain from voting on any contract that had the name DePasquale or several other names that he is related to.

I don't know how close Mr. DePasquale is with his cousin DePasquale, and it doesn't matter. If I had a very, very close friend and I was voting on something that — Voting is one thing; it's introducing the bill that bothers me, which is more to the point.

My objection at the time you appointed Mr. DePasquale was simply that he did the correct thing. He was very honorable all those years and did not vote on anybody he had any relationship with, that he was related to. Now comes Mr. DePasquale back to Council, gets appointed to one of the most powerful committees which is Construction and Engineering, from which many of us receive political contributions from the people who do business with the City. I say all of us, I'm not just pointing out Mr. DePasquale.

It is not uncommon for pressure to be put on all Councilmembers when there are contracts solicited by the people who want them, and now Mr. DePasquale says, "I just check and it says, the Law Department says that as long as it isn't my brother or my child, I can vote for it." Well, I think he set the rules by precedent in the honorable way he behaved and I would ask that he ask to have that committee changed. I don't want to pound it to death but I think that I'm making a very valid point. He already established the way it should be when he was President of this Council and now he's changing and saying, "Okay,

now I can do it." I don't think that's correct.

I would like my comments on this bill to be brought forward.

(BEGINNING - MICHELLE MADOFF'S
COMMENTS ON BILL NO. 407 -
WEDNESDAY, 3/19/86)

Michelle Madoff:

Discussion. Is there any relationship between Mario DePasquale and yourself, Mr. DePasquale?

MR. DEPASQUALE COMMENTS

Michelle Madoff:

So you're not going to vote on it.

MR. WOODS COMMENTS

MR. DEPASQUALE COMMENTS

Michelle Madoff:

May I respond, Mr. Chairman? Michelle Madoff could be sitting here earning \$10,000 a year on the fact that I got a clearance from the Ethics Commission, the Law Department, the Mayor's Office, the Water and Sewer Authority, saying that I could represent Insituform — Insituform, before you got here, Mr. DePasquale, is a company that replaces sewers with a liner. You go through a manhole —

THE CHAIR COMMENTS

Michelle Madoff:

And I am giving you a reason why he shouldn't.

MR. DEPASQUALE COMMENTS

Michelle Madoff:

Excuse me, the issue is not a legal opinion.

THE CHAIR COMMENTS

Michelle Madoff:

I've got a legal opinion that I could make \$10,000 a year sitting here but it is not morally, ethically correct when the Water Authority hires --

I think the public ought to know what's going on.

MR. POLLOCK COMMENTS

Michelle Madoff:

That's not the point. I originally suggested when the Chair appointed Mr. DePasquale to this Committee that it was inappropriate because he would be introducing bills from his own family and friends and relatives and it was inappropriate for him to serve as Chairman of that Committee. I just want to reinforce that.

(END OF REMARKS)

The Chair:

Thank you. Now I let Mr. DePasquale comment; I let Ms. Madoff comment on the letter. We will not discuss the letter or ethics any longer. We will discuss Bill 407 or any other bills that we're going to vote on at this time.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES 1

(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 408

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company (Peter Nicholson, President) in the amount of \$100,638.00 for a partial payment of extra work for water and sewer line work on the Goettman Street Wall Emergency Contract; and providing for the payment thereof."

Which was read.

Also,

Bill No. 421

A Resolution entitled, "Resolution providing for the issuance of a \$1,090.50 warrant in favor of Joseph F. Mullen in settlement of claim for automobile damage and car rental and providing for the payment thereof."

Which was read.

Also,

Bill No. 422

A Resolution entitled, "Resolution authorizing issuance of a \$1,950.00 warrant in favor of Edward Piela for refund of monies expended for an automobile sold in error at the City Auto Pound."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 423

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's II-A State Educational Grant Program and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 424

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies of the implementation of the City of Pittsburgh's II-A Job Training Partnership Act Program and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 425

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Open Doors for the Handicapped, Pittsburgh Chapter, a non-profit organization, to provide the services of establishing and administering a job referral service for disabled City residents."

Which was read.

Also,

Bill No. 426

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Urban Youth Action, Incorporate, a non-profit organization, to provide the services of employment and educational activities to City of Pittsburgh Youths between the ages of 13 and 15 years old."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski for Mr. Givens presented

Bill No. 522

Report of the Committee on Public Works for March 19, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 415

A Resolution entitled, "Resolution vacating Sagwa Street between Lapish Road on an unnamed way 110' easterly in the 27th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 416

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for furnishing and installing and/or reinstalling steel guidrails and facilities related thereto at various locations within the City of Pittsburgh, and other

work incidental thereto, and providing for the payment of the cost thereof."
(AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 523

Report of the Committee on Planning, Housing and Development for March 19, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 433

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority

of Pittsburgh providing for the administration of City programs and projects and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 434

A Resolution entitled, "Resolution providing for a Single Room Occupancy Housing Demonstration Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$1,000,000.00 in tax exempt financing and developer's equity as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 435

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$1,000,000.00 to the Pennsylvania Department of Community Affairs for the Single Room Occupancy Housing Demonstration Program."

Which was read.

Also,

Bill No. 436

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any in and to the publicly

owned properties in the 10th Ward of the City of Pittsburgh designated as Block and Lots 50-G-40B in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 437

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 5th Ward of the City of Pittsburgh owned by Barbara Jean Cockfield and designated as Block and Lot 27-K-22 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 438

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interests, if any in and to the publicly owned properties in the 14th Ward of the City of Pittsburgh designated as Block and Lots 125-K-9 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 439

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any in and to the publicly owned properties in the 18th Ward of the City of Pittsburgh designated as Block and Lots 15-R-73 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 483

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Alverta Simpson for the sale of Parcel 106 in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32."

Which was read.

Mr. Pollock:

I would like my comments and all the discussion from the Committee Meeting brought forth.

(BEGINNING - MR. POLLOCK'S REMARKS ON BILL NO. 483 - WEDNESDAY, 3/19/86)

Mr. Pollock:

This lot has a long history dating back when Councilman Robinson was here.

The lot in question is an entire City block in the Hill District, on Wylie Avenue. The resolution, the developer wants to build a single-family house on an entire City block in the Hill District and it is my opinion and I would hope that it would be this Council's opinion that this is not the highest and best use for this land. The community has had input into the use of this property and the community has spoken through the Hill District Project Area Committee (PAC) and they too feel that this is not the highest and best use for the property and as such they would like to see constructed there some townhouses and this would be in conjunction with the Hill District Development Plan which was a

1983 study commissioned by the Planning Department, the URA and the Hill District PAC, and accordingly it would be my position that we vote this proposal down and send it back to the URA to make other use of the parcel.

MICHELLE MADOFF COMMENTS

DIRECTOR BROPHY COMMENTS

MICHELLE MADOFF COMMENTS

Mr. Pollock:

If I might just so that no one thinks that the URA is trying anything sordid here. I think the URA's recommendation was viewing the proposal in and of itself in a vacuum and somehow or other this was just one out of thousands that slipped through the cracks where there was not community input, after this was approved the community was able to provide input and at that point we concluded that even though the proposal before us is not in and of itself bad, but it is not the highest and best use nor does it have the community input, nor does it concur with the Hill District Development Plan. So that it's very important that we put all those things to light. There's nothing in and of itself wrong with this but there is a better use and something that the community feels is better use.

MR. GIVENS COMMENTS

DIRECTOR BROPHY COMMENTS

Mr. Pollock:

And that piece of work is expensive and so of course the developers would wait until they had site control before they were undertaken.

MICHELLE MADOFF COMMENTS

Mr. Pollock:

That's why there are professionals that do the core sampling and boring.

MICHELLE MADOFF COMMENTS

Mr. Pollock:

You have to ask Mr. McDermott.

MICHELLE MADOFF COMMENTS

DIRECTOR BROPHY COMMENTS

Mr. Pollock:

A quick response to Michelle. I think that if we were sitting here and every time that Engineering and Construction put out a contract that they requested there be core sampling and boring and you saw the bill for what that core sampling and boring would be which would probably quadruple or quintuple every time they put down any kind of work. I don't think you would be in favor of that either.

MR. WAGNER COMMENTS

MR. GRABOWSKI COMMENTS

Mr. Pollock:

With all due respect and you are a member of the URA Board so you can view URA's position maybe better than others, but I think the URA's charge is to provide the highest and best use for property that it owns and so that even though this is a good development, I think the URA should look to — and if not the URA by some reason it might have overlooked a higher and better use than if it gets to Council — then Council should find the highest and best use for any property which is in the government and I think maybe Paul could respond to your statement even better than I.

Director Brophy:

I think your point of procedure is very well put. The way the Redevelopment Authority law was set up was to specifically require two approvals on a disposition of a property — one from the Redevelopment Authority Board and secondly from the City Council. I think that provides City Council with the ability to review the Board of the Redevelopment Authority's actions and further, in the event that in any case a procedural error has been made, it gives the ability for room to be taken and there was at least one procedural error made here in that the Project Area Committee was not consulted before the URA Board took action but was rather consulted after. That's quite an exception to our standard practice and as you put it earlier it happened because it looked like it was a pro forma piece of business. So that City Council action does give the ability to take exception to what are otherwise normal transactions done by the Redevelopment Authority Board and I think the State Legislature was wise in allowing for that exception.

Mr. Pollock:

I think Steve's really in a bind in that having served on the URA Board and either voting or whatever position he took.

I think the bottom line is this: Do we want to take an entire City block and turn it into a single-family house? I don't think anyone would go along with that.

(END OF REMARKS)

Mr. Pollock:

Since our Committee Meeting, Mr. Wagner has requested that all of us receive copies of the past public hearing

that was held on this matter which was held on October 31, 1985 and also he asked for the Committee transcripts at which this was discussed on both October 2 and October 9, 1985. We have received copies of all of these documents, transcripts, and I would hope that my colleagues had reviewed these and having done so I would also hope that they would now concur that this should be voted down.

Jack's concerns were that we did not have the public hearing record in front of us, which was a valid concern. I was not on Council at the time and I have reviewed this public hearing. All of the witnesses testified against this bill, against this proposed transfer of the URA property to Miss Alberta Simpson. What it boils down to is basically, do we want to support a misguided URA Board recommendation that a piece of property in the Hill District, an entire City block, be transferred to one person to build a single-family house on, when the community has spoken through the Hill District Project Area Committee and has said that they do not want this, when numerous citizens took the time to come down here and testify that they did not want this, when the Hill District Community Development Corporation has another plan for this property which is in conjunction with the overall development plan for the area which would be to put townhouses on this which is a far better use.

And so, for all of these reasons, and the reason why I said we should vote this down, was that there is a higher and better use for this property; not that Miss Simpson's plan in and of itself is bad but that in comparison to another plan there is a better use. So, I would ask that all of us vote this down and that we put forth a unanimous negative vote.

Michelle Madoff:

Excuse me, I apologize, Mr. President. What I was hoping is that Mr. Pollock would restate his position because I support it completely and since he was the one that called for the opposition who thought it was inappropriate for me to address it.

Mr. Grabowski:

Mr. President, I maintain my position that right here before us we have a proposal to take publicly owned property which is currently tax exempt and put it in private ownership; hence, property taxes will be collected on it. I think that we should go forward with this. The URA owns many parcels of property in the 3rd and the 5th Wards of the City of Pittsburgh, and I would suggest that these other uses could just as well be placed on some other parcel. Right now, we have before us, a proposal to put tax exempt property back on the tax rules and I think we should go forward and do just that.

Michelle Madoff:

Mr. President, with due respect to my colleague, I think that would be bad urban planning. It's like being penny-wise and pound-foolish; you know, regretting later what you do in haste today. It is apparent that the Hill area is going to become very, very valuable in time to come; I hope people listening will appreciate that and hold on to their property. To allow an individual to have a City block and not have townhousing, to better provide income for that community and for the whole City, in tax dollars would be, I believe, not in the best interest of the City of Pittsburgh and I support Mr. Pollock and I urge the rest of our colleagues to support him.

Mr. Pollock:

I would just like to respond to what Mr. Grabowski said. His point is very well-taken about putting tax exempt property back on the tax rules or non-taxable property on tax rules. But I think the over-riding concern for this Council should be what does the neighborhood want, what does the community want. The neighborhood and the community are unanimous in their opinion on this. They have spoken repeatedly before this Council and before the URA that this project that is before us should not go forth. I think that that is what is the over-riding opinion that should matter the most.

Mr. DePasquale:

Mr. President, due to the debate, I would urge my colleague, Mark Pollock, to recommit because perhaps in the next two or three weeks we can work something out or else get back to where we are today. There is divided opinion on this Council in regards to this legislation. Some feel it's going to help, some feel it won't.

Mr. Pollock:

With all due respect, this matter has been before Council on several occasions and has previously been recommitted. Mr. Robinson brought this forth when it was first before the Committee Meeting back in the Fall of '85. It was recommitted to hold a public hearing, which public hearing was held. We had it before our Committee this past Wednesday and Jack asked for us to have a copy of that transcript from the hearing which was sent to us. I would see no productive reason to hold it any more.

There is another viable plan that is ready and raring to go and I think that

for us to waste any more time would be counter-productive to the community. I think we should vote this one down so that the other plan can go forth right away.

Mr. DePasquale:

You're saying there is another plan?

Mr. Pollock:

Ready to go, Jeep.

Mr. Wagner:

Mr. President and members of Council, in reviewing some of the testimony and some of the discussion at the previous Committee hearings, then Councilman Robinson, his major complaint was that not necessarily this was a good plan or a bad plan but there was no comprehensive plan for the Hill District. Until there was a comprehensive plan for the Hill District, it was not certain as to whether or not this plan or another plan would fit in properly with what is proposed in the Hill District. The major point that was made at the meeting was that until we know pretty much what is going to happen with the DeBartolo property, the Melody Tent Site, we're really not going to know to any significant degree what is best for the properties that surround it.

So, I think the point is well-taken that I don't think it's been resolved one way or the other, exactly what is appropriate for this site and for other sites in the Hill District.

The Chair:

I'd like to make one comment. I think Mr. DePasquale has a good point. We had a public hearing in 1985; the legislation died because we went into

new sessions. You re-introduced it, Mr. Pollock, a week and a half ago. I would like to see it recommitted. There may be a chance that there could be a compromise or maybe even a chance for another public hearing. I hadn't seen the new plan either. Maybe these people wouldn't even want it now and I think it's a good idea to recommit this thing.

Mr. O'Malley:

I share the same concerns that Mr. DePasquale and yourself share. Miss Simpson is asking for 8000 square feet which may be excessive. But there again, Mr. Grabowski is the Councilmember that represents this Council on the URA Board. If this was recommitted, there might be a compromise that might be able to be worked out between Miss Simpson and the URA and this Council, whereas she will not acquire 8000 square feet, maybe she'll about 4000 square feet or 3000 square feet. I think it's important then if we have a proposal in front of us that we do something to expedite that and get as many houses built in the Hill District as possible.

The Chair:

I think you're right. I haven't seen the plan that says that they're going to put 10 townhouses on it or 4 or 20. I don't doubt that someone has seen that plan but I haven't. That's why I'm asking that Mr. DePasquale have it recommitted.

Mrs. Masloff:

I remember that hearing very well without reading it. I remember very, very well and I remember the lady saying that unless she got all of that ground she was going to sue us, she was going to go to court. She was very, very adamant and she was not going to change her

plans. I can see nothing else changing by having another public hearing because I don't think anything is going to change.

The Chair:

I'm not suggesting another public hearing, I'm suggesting recommitment so that we can look at it. Mr. Pollock said he saw another plan that's going to have townhouses or something on it; I would like to view that also before I vote.

Michelle Madoff:

Mr. President and members of Council, until the land is available for anyone's use, no one can come in with another plan whether it's townhouses or anything else. For one person to have a block or to have that kind of space available against the community's wishes I don't think is the right way for this Council to proceed. We are here to serve the people and I would suggest that we make this land available then proceed to have as you suggested a hearing or perhaps a look-see at what other plans are available for that block, perhaps some townhouses, and if the person who wants it can come in and do better, maybe she's going to build 10 townhouses instead of 6, but if she still persists in wanting to have one private house with lots of land around it, I think we would vote it down at that point anyway. Why should we not allow the opportunity for other developers and we are really stymieing any other developers as long as she has the right to that property. So, the thing to do is to vote on it now, get it out of the way, and then see what other plans come in.

The Chair:

That's not my problem, Ms. Madoff. Mr. Pollock made a statement and if I'm wrong, if I heard you wrong, Mark, I apologize, that there is another

plan and there's a developer waiting. That's what I said. I would like, before I vote this thing up or down, if you would share that with Council. I'm asking you to recommit that, that's all.

Mr. DePasquale:

One week wouldn't kill anybody.

Mr. Pollock:

With all due respect, I don't think that it is at all relevant. I mean, I said that just as a way in which we could hang our hat on a hook but it's not relevant to whether or not we approve this plan, if in fact there is another plan out there. There is, but I don't even think it's relevant. The question is, do we as a body feel that an entire City block should be given to a person, sold to a person, to put a single-family house on. Do we want an entire City block in the middle of the Hill District to be used for a single-family house? The URA has said no, the Hill District Community Development Council has said no, and everybody at the public hearing has said no. This Council wants to consider it a little bit further and I don't know what you want to consider.

The Chair:

I want to consider, you said there was a developer ready to go and he has a plan. I want to see that plan. I mean, this woman came in here and there were people, I believe, speaking in favor --

Mr. Pollock:

Nobody spoke in favor.

The Chair:

Well she was in favor of it anyway. But I remember the hearing very distinctly; there was only one

hearing as I recall. But I would still like to see it. One week, one way or the other, isn't going to hurt us on an issue like this. It's been sitting there for 7 or 8 months already. In fact, it had to be recommitted for it to even come up at last Wednesday's meeting.

Michelle Madoff:

Mr. President, I agree that one week isn't going to make any different or two weeks or three weeks. What I don't understand, and I wish you'd explain to me if you don't mind, why do you want to hold it. What bearing would anything else going on that property have to a valuable piece of property with a magnificent view, up in an area that is adjacent to the development that will take place in that area. How could we even consider giving one person a piece of property? I'll tell you what; I'll pay more and give it to me or to any other member of this Council.

I agree with Mr. Pollock. I'm sorry that he mentioned the other plan because it's irrelevant. It has nothing to do with the issue before us. It's been hanging on and hanging on and we ought to make a decision on it. If you want to put it back into Committee, I'll go along with it, but what's the purpose.

The Chair:

Well, evidently someone thought that they should make an issue of it or we wouldn't even have a piece of legislation in front of us. Somebody thought it was a good idea or the proposed sale wouldn't even have been given to the lady. Somebody did that, am I correct? Either URA, the City Treasurer; somebody offered to sell this lady a \$2000 piece of property.

Michelle Madoff:

Mr. President, if memory serves me well, the lady located the property, went to URA and offered to buy it. Anybody has the right to do that. That doesn't mean we sell it. We sell it in the best interest of the public and I don't believe the best interest of the public will be served by giving one person a City block for a private residence.

Mr. DePasquale:

I profess to have very little knowledge about this bill. As a colleague said, it went back to sometime in 1985. My curiosity is if Mark, or any other Councilmember, is aware of another plan, then they should have some of the details on the plan. Do they know anything at all about it? Can't you tell us now? Just a sketch? Something off the top of your head what they're going to do?

Mr. Pollock:

That plan is not before us and is not relevant to this vote.

If I could just respond to what the President said that somebody thought this was a good idea, Mr. Paul Brophy, Executive Director of the URA at the October 31, 1985 hearing stated, "A couple of comments, Council, to provide some background on this. First of all, there was a procedural mistake or foul-up that occurred on the disposition of this property." They acknowledge it was a mistake. I think that says it all right there.

The Chair:

Do you want to hold this for a week, Mark?

Mr. Pollock:

I don't want to hold it.

The Chair:

Was there a motion made to hold this?

Michelle Madoff:

Mr. DePasquale made a motion to hold this. It was never seconded. Is there a motion to recommit?

Mr. DePasquale:

So moved.

The Chair:

Is there a second to recommit? For the lack of a second, the motion dies.

Now, on the bill itself, if you are for selling this piece of property, you will vote aye. If you are opposed to selling this piece of property, you will vote no. Call the roll.

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 3	NOES 5
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VOTING NO:

Mr. DePasquale	Mr. Pollock
Michelle Madoff	Mr. Wagner

Mrs. Masloff

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Mr. Grabowski presented

Bill No. 524

Report of the Committee on General Services for March 19, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 418

A Resolution entitled, "Resolution providing for an agreement of lease with Forbes Street Associates of certain space on the third (3rd) floor of the 441 Smithfield Building effective June 1, 1986, for an initial term of five (5) years but with an option to renew said lease for an additional term of five (5) years, at an annual rent of \$96,350.04 for the first year of said lease and at subsequent annual rents equal to the rent actually paid for the previous year plus an adjustment increase not to exceed ten percent (10%) of the rent for the prior year, for the purpose of securing space to be used for administrative functions by the Department of Water, subject to and conditioned upon the annual appropriation of sufficient funds for purposes of said agreement of lease."

Which was read.

Michelle Madoff:

Mr. President, two minutes before Council began I was handed a note, a response to a request that I had made

from Mr. Jacoby of General Services who is handling the leasing of this property for the Water Department. As everyone may recall, originally the Lands and Buildings, Mr. Evers was handling it and as you recall, a number of phone calls were made to say what space was available. No one went to look at it. We were offered space at \$14 a square foot; we were offered a lease of 2 years at \$14 a square foot in the Allegheny Building and when we went back to look we found out that we could rent space at considerably less in a number of buildings. I think we had five or six places that were made available to us. I think the new price, if memory serves me well, is \$11 or something a square foot.

But what he handed to me just before we went into session is pertinent to this issue. What I had asked for, I asked for your request listed below, by my department are known figures regarding space rentals. In most cases, each department has a specific need for additional space. In other words, we're going to be going out for a lot of space. We're going to have another bill coming up today on the Public Safety Building and as you may recall that I had suggested —

Let me read this first and I'll get back to my suggestion. Parks and Recreation, no outside rentals, but they are requesting more space. Public Works, at present they have no outside rentals but are requesting more space. Law Department, at present, no outside rentals but are requesting more space. Water Authority, at present, no outside rentals but are requesting more space. Bureau of Building Inspections, no outside rentals but are requesting more space. Personnel and CSC, whatever that stands for, Civil Service Commission, have occasion once a year to rent the Convention Center for mass

testing which costs \$5000 to \$6000 per day; rental at Robert Morris College used two to five times a year at \$150 to \$200 per day; Brashear High School rental at less than \$100 per day and I don't think this is really pertinent on the JPTA Program so I'll skip over it; lease building on South Side, JPTA Program, State funded, leased 1985-1986 with one year option for 7568 square feet at a cost of \$7252 per month, includes all utilities and maintenance. So, we're talking about a year's lease at \$7000 per month? That's a lot of money.

To go on, URA building jointly owned, which I did not know, by URA and the United Way Agency. Did anybody else know that? So we own that building. Bureau of Fire, no outside rentals; Bureau of Police, no outside rentals; Parking Authority, here's the goody, and I believe they're in the building right over here that used to be the Manor Building, a five year lease renewable with escalating clause at \$15 per square foot. I don't see any reason why the Parking Authority has to be Downtown so they can walk to lunch and General Services has no outside rentals.

Should you desire additional assistance, please feel free to contact me.

So, what have we learned from this? We've learned that we have a Parking Authority at \$15 a square foot and we're going out now at \$11 something with a renewable option and I hope we won't renew that option. There's some space available, incidentally, at \$10.25, \$10.50, if we go into Micky Berger's building which is just on the fringe of the Penn Avenue right near the bus terminal going down near the Warner Building is also available, Warner Cable, which is being re-rented at about \$11 something a square foot.

Here are all these entities needing space. Again I told you that there is a building for sale, I don't know if it's been sold yet, on Fifth Avenue right near Chatham Hotel and it is a five-story building that's been re-appraised. The assessment on it is at \$217,000. They're asking \$4,600,000; I think it could be bought for \$3 million. The City might be better off to take a five-story building and put everything in it and buy a \$3 million building. I don't know but we ought to look at it. Perhaps we ought to flatten the Safety Building and put a new building, I think Mr. O'Malley has said so previously.

It's obvious that we're going to be voting today because we have to have some facilities now and it is an inadequate building. What we're doing is the band-aid approach, spit and paste and band-aids and we have all these facilities needing space and I'm personally pleased with the job that Mr. Jacoby did on finding the alternative site Downtown. I don't believe that we need to be Downtown but if that's the determination, I'm going to go along with it. The thing I'm pleased about is that we went from \$14 to \$11 something a square foot and I think the savings are \$123,000. I'm hoping that some of the other buildings, the landlords that offered us space at a lot less money than 15 would be considered by the Parking Authority and I hope that this Council will be instrumental in holding some kind of hearing to look at what we can do to save the taxpayers' money so that we don't go out on these outrageous rentals. Even though the State is paying for it the JPTA Program at \$7252 per month?

Mr. Pollock:

I would like my comments from the Committee Meeting regarding my brother's former association with the

landlord brought forth.

(BEGINNING - MR. POLLOCK'S
REMARKS ON BILL NO. 418 -
WEDNESDAY, 3/19/86)

Mr. Pollock:

I want to state that my brother worked for Oxford Development Company in their Leasing Department for six or seven years. I want to make that known, number one, and, number two, I want to make it known I was not contacted either by my brother or by anybody else at Oxford Development Company, and I think the mere relationship that my brother had with Oxford -- he is no longer with them -- does not warrant, does not represent a conflict of interest, so I will not abstain, but I do want to make it known that this interest did exist, and I have not been contacted by anybody at Oxford.

(END OF REMARKS)

Mr. Wagner:

I would also like my comments on this bill brought forth and I'd also like for us to send a letter to the Water Department requesting that -- I believe on this issue that the Water Department should have prior to this legislation coming to Council, should have reviewed this information with the Water and Sewer Authority. The Water and Sewer Authority is going to have to pay for this lease and if this is rejected by the Water and Sewer Authority then it's going to have to go back through the entire process with Council again. Therefore, I think that the issue should have been brought forth to that body first and then to this body second.

(BEGINNING - MR. WAGNER'S
REMARKS ON BILL NO. 418 -
WEDNESDAY, 3/19/86)

Mr. Wagner:

Mr. Smith, who ultimately will pay
for this lease?

Daryl Smith
Director
Department of Water:

The Water and Sewer Authority.

Mr. Wagner:

The Water and Sewer Authority.
Has this information been run by the
Water and Sewer Authority as a potential
location for the Water Department?

Director Smith:

I don't believe so. I couldn't say for
sure.

Mr. Wagner:

Any reason why not?

Director Smith:

No, I can't give you any reason
why. I think generally at this point in
time they are paying for space for the
Water Department. I think we presented
to them the fact that we were trying to
move, and since this is at a lower rate
than what we had considered previously I
did not see it that we would have
problems with the Water and Sewer
Authority. It wasn't a conscious effort,
but we did not advise them.

Mr. Wagner:

What is the Water and Sewer
Authority now paying to the City for the
lease of space that it now has?

Director Smith:

I don't know.

Mr. Wagner:

Can someone here answer that?
Can anyone in the room answer that?
Mr. Jacoby?

Mr. Jacoby:

No, I'm sorry, I don't know.

Mr. Wagner:

I think that is an important factor
we have to have in front of us. What is
the Water and Sewer Authority now
paying? The Water and Sewer Authority
will pay for this lease. Ultimately it
must be approved by Council and it must
be approved by the Water and Sewer
Authority also. What I would like to
know is, what is the Water and Sewer
Authority now paying the City?

Mr. Jacoby:

For the property that is leased?
Well, within various City buildings --

Mr. Wagner:

I would like that information
sometime in the near future, prior to
final vote on the bill.

Mr. Jacoby:

All right.

Mr. Wagner:

This particular lease that is
proposed, it is a five-year with another
five-year option, correct?

Mr. Jacoby:

That is correct.

Mr. Wagner:

We just received the lease this morning. What is the primary criteria by which we have suggested 441 Smithfield Street as a location, arriving at that decision?

Mr. Jacoby:

Primary criteria?

Mr. Wagner:

Yes.

Mr. Jacoby:

That it is the least expensive, but best useful, most useful space for the department, meaning that it be located conveniently to the City-County Building, that it be very usable space as opposed to broken-up or hard to use space, and, certainly we are looking at cost and other features such as the ability to put an antennae for the radio system on the roof of the building.

Mr. Wagner:

So the first criteria is the least expensive, second is convenience, then third is, I believe you said, versatility, or

Mr. Jacoby:

Usefulness of the space. They are not independent criteria.

Mr. Wagner:

In other words, all three apply. Which is most important?

Mr. Jacoby:

Which is most important?

Mr. Wagner:

Yes. Is it the actual cost or is it the accessibility, or are they equally important?

Mr. Jacoby:

I would say they are equally important.

Mr. Wagner:

Under this lease, and I haven't had time to read it, but I've just been glancing through it, through the entire meeting, it is my understanding that there is an option to increase the rent by ten percent each year as part of the lease?

Mr. Jacoby:

No. I believe that section is misleading. What it is doing is permitting the rent to be increased pro rata throughout the building based on the increase in the cost of operating the building, meaning the maintenance staff, the utilities and taxes and insurance, and that the rent cannot exceed ten percent, or the increase cannot exceed ten percent, even if the cost of operating the building exceeds that, so that is the most they can raise it.

Mr. Wagner:

Okay. In the letter from you to us, President and Members of Council, it states, at an amount not to exceed \$96,350 a year for the first year's lease, with subsequent annual rent equal to the rent actually paid for the previous year plus an adjustment increase not to exceed ten percent of the rent for the prior year.

Mr. Jacoby:

Yes.

Mr. Wagner:

Is it conceivable that after the first year our rent could be increased ten percent?

Mr. Jacoby:

It is legally possible; it is not probable.

Mr. Wagner:

Would that percent increase, ten percent increase, apply to — could it conceivable apply to every year in the first five years and every year if we renewed after the five years for an additional five years?

Mr. Jacoby:

Yes, legally it could; probably it will not.

Mr. Wagner:

Have we figured out what those costs would be if that were to occur?

Mr. Jacoby:

I do not have it available. I have looked at it. However, I might say that the same escalation clauses are standard in every other building, so that the same possibility exists with every other building we looked at.

Mr. Wagner:

All right. Now in comparison to the other lease option we have with the

Mr. Jacoby:

Allegheny.

Mr. Wagner:

Allegheny Building.

Mr. Jacoby:

Some clauses are there.

Mr. Wagner:

Was it a ten percent increase?

Mr. Jacoby:

I don't believe there was a maximum. It was an increase based on the cost of operating the building.

Mr. Wagner:

That is where I'm confused. I was under the original impression with meetings or discussions at this table that that figure was frozen for five years.

Mr. Jacoby:

No. It has the same escalation clause in there.

Mr. Wagner:

Do you have it available?

Mr. Jacoby:

I am looking for it right now.

MR. POLLOCK COMMENTS

Mr. Wagner:

I received the lease in my mailbox this morning. I believe every other member got it.

Mr. Jacoby:

I have a lease from the owner of the Allegheny Building outlining the terms of his proposal, and the fourth item was escalation, which says, leasee agrees to pay the lessor on demand, as additional rent, an amount which shall bear the same proportion to the amount of increase in any year in operating cost and taxes over such specific costs for the base calendar year.

THE CHAIR COMMENTS

Mr. Wagner:

Well, the reason I'm bringing up the point is I want to know both as a member of Council and member of the Water and Sewer Authority what ultimately we can pay for this lease. Sometimes up front the dollar value can be misleading, and, consequently, if you carry out the potential cost of the lease over the ten-year period, which Mr. Vaughn has recently done for me, and if the lease were to increase ten percent every year, in the first year, as we know, it would be \$96,350, second year it could potentially be \$105,000, third year \$161,000, fourth year \$128,000, fifth year \$141,000, sixth year \$155,000, eighth year \$187,000, ninth year \$206,000, tenth year \$227,000, and \$227,000 is well over a 100 percent increase over a ten-year period.

What I would like from both of you is to know potentially what the lease could increase with the other companies or individuals that have submitted proposals also.

Mr. Jacoby:

The other proposals do not have a cap, therefore, the leases that could be increased are unlimited, but they are based on an increase in taxes and the increase in operating the building.

Mr. Wagner:

That's true, and the cost of taxes could fluctuate, I suspect, slightly depending on the building.

Mr. Jacoby:

That is sort of up to you, too.

Mr. Wagner:

That's true. And operating costs certainly could fluctuate.

Mr. Jacoby:

Yes.

Mr. Wagner:

And to what degree I don't know, because I don't know enough about each of the proposals, but, obviously, there is a far greater cost involved here than what meets the eye, and I would like to know up front, prior to a final vote, exactly what those projections are over a ten-year period of time.

Mr. Jacoby:

I think given this lease you are in a position to know that, and you read off the numbers which I understand you calculated. With any other space without a cap you would not know. You would be exposed to unlimited increases, depending on the cost of operating the building, and taxes and insurance.

Mr. Wagner:

Just let me finish up. I am certain that the three proposed leases are not identical.

Mr. Jacoby:

They are not identical, but they are

very similar.

Mr. Wagner:

I would like to know what the differences are and how that relates to the dollar figure, not only in the first year but also along each year up to ten years. My fear is this, and I'm getting to my point, my point is that we lock into a lease in the first year, and before we know it in the fourth year we're up to \$160,000 and/or \$140,000, and I don't want to see that happen if in fact we can choose another lease.

If we could lock into a figure over a five-year period of time which would be guaranteed cheaper for five years, in comparison to the potential escalation clause each year, I would prefer to do that, and so in order for me to know what I am voting on here I want to see what the potential projected cost can be with those that have submitted proposals to the City.

(END OF REMARKS)

Mr. O'Malley:

Just to bring Michelle an update, some members of Council did meet with the Mayor's staff and members of the Public Safety Department, John Norton, in particular, and Dave Donahoe to discuss the Public Safety Building and my concerns, Michelle's concerns, and Mr. Wagner's concerns. They indicated to us that they were going to go out on a study, a need study for the entire City of Pittsburgh, that should be completed in approximately three months. Once we have that study, then I think this Council can better make a determination of our space needs. Hopefully, I'm in favor of building a separate building just for our Public Safety Department, Police, Fire and EMS, and that will free up a number of floors over in the Public Safety

Building for our other needs, the Water Department or Civil Service Commission, whatever my need it. But hopefully, that study should be done in approximately three months.

The Chair:

I know that's a very important issue, Michelle and Jim, but let's stick as close as we can to this particular issue we're on.

Michelle Madoff:

I would just like permission to ask my colleague a question.

Mr. O'Malley, do you think the information just supplied by Mr. Jacoby is pertinent to what you met on the other day?

The Chair:

That's what I'm saying. Let's not discuss that; it's another issue. I agree, it's very important but that's an issue for another time, not this piece of legislation.

Mr. DePasquale:

I also want my comments brought forward from the last meeting.

**(BEGINNING - MR. DEPASQUALE'S
REMARKS ON BILL 418 - WEDNESDAY,
3/19/86)**

Mr. DePasquale:

Discussion. in regard to this bill, I understand that there were some bids that were less than three years and had better facilities to offer than the one at Smithfield Street. I believe my colleague, Michelle Madoff, has facts and figures to back me up on that.

I'm sure that the Buncher Building down on Penn Avenue, which is in the greater Golden Triangle area -- their price is lower and they have much better facilities and as I said, my colleague has some other facts and figures to back me up.

I also failed to realize that the facilities of the Water Department in the Public Safety Building will be occupied by the Public Safety Department and I don't want to hold that up but at the same time if we're talking about a five-year rental and a five-year option which is quite a few years obviously, I think we ought to look a little more closely at this and certainly I think we ought to have all of those figures out on the floor here and we should compare them with the one that they accepted and I think we should get some answers as to why they decided to go to the Smithfield Street. I don't buy the argument that it's closeness in traffic. It would take you almost as long to get down to Smithfield Street than it would take you to go to the Buncher Building on Penn Avenue and I'm pretty sure that a couple of other buildings may be as close or is available as the Smithfield Street Building.

Mr. Chairman, I respect the opinions of Mr. Jacoby and Mr. Smith, yet I would like to call for a hold action here for two weeks to look at these sites that have never been seen before and the ones that had offered proposals such as the Warner Building or whatever. I think that we could do that in a matter of a week and if we hold this for two weeks, by then the Committee could go back with their opinion. After all, Council is going to have to vote on this and Council should have a say as to exactly what's going on down there and there's no way we can know other than what we are being told and I think if we see it firsthand, we can make an opinion for ourselves as to which is the best site to

approve.

I don't want to debate with Mr. Jacoby but he claims that there are better facilities down there and it's more securable. Am I wrong when I say that the Buncher Building, the rental property would be located on the first floor as opposed to the third floor on Smithfield Street?

Mr. Jacoby:

The space is available on both the first and second floors in the Buncher Building. As I understand it there are some 70,000 square feet available.

Mr. DePasquale:

And wouldn't you say that's less of a fire hazard than Smithfield Street?

Mr. Jacoby:

No. I think that the Smithfield Street Building meets all of the fire codes and it has a sprinkler system.

Mr. DePasquale:

I'm saying as opposed to the third floor or the first floor and you conceivable tell me that's less of a fire hazard?

Mr. Jacoby:

Obviously if you are on the first floor, it's different than being on the third floor but in my opinion the Smithfield Street Building is a safe building. It meets the codes and it is all newly remodeled space.

(END OF REMARKS)

Michelle Madoff:

I want my comments from the

other meeting brought forward also.

**(BEGINNING - MICHELLE MADOFF'S
REMARKS ON BILL NO. 418 -
WEDNESDAY, 3/19/86)**

Michelle Madoff:

I would just like to reiterate the history of this fiasco and for which a number of my colleagues including the Chairman were blamed and had absolutely nothing to do with.

The Water Department requested space to relocate in a rental outside of the City building for additional space. Mr. Evers of Lands and Buildings came to this Council and wanted to go into the Allegheny Building at \$14.00 a square foot. When Mr. Evers was questioned as to the \$14.00 a square foot and when I asked him whether it was conceivable that he could go into another building because some of the buildings that are vacant Downtown are giving a year's free rent in order to get people into the building, I have been offered for a business a year's free rent on a long-term contract, and I said, "How did you find out about these properties?" and he informed me that he made a telephone call. So I had asked him if he had ever seen these properties and he said no and I subsequently asked him to go look at the property. For some obscure reason that I do not fully understand, that job was taken away from him or the information was taken away and turned over to Mr. Jacoby which may be the proper avenue because he would be signing the contract but if Mr. Evers of Lands and Buildings has a great and extensive experience with real estate, which I question whether Mr. Jacoby has, his recommendations should be valid.

My understanding, and I would like to have it confirmed, is that Mr. Smith's objections is that he didn't want to walk

that far, that it was too far for citizens to come down and that transportation was a problem and it's all poppycock.

Just to give you some figures and perhaps you could substantiate them for me, Mr. Jacoby. You have some buildings here. The Warner Building which you didn't even bother to list, the one down in the Strip District which is a ten-minute stroll --

MR. POLLOCK COMMENTS

Michelle Madoff:

May I just point out, Mr. Pollock, that when you've been here eight years and you've been subjected to this kind of hanky-panky, you won't be as tolerant, but I will endeavor to accommodate you. I would like to get the facts on the table. I asked for these to be submitted to me today. They should have been there long before today and the Warner Building is not even on here.

MR. POLLOCK COMMENTS

Michelle Madoff:

It's very difficult, Mr. Pollock, when you have a Water Department head, when you ask him to report on the water leaks and he doesn't call you.

The question would be -- I'd like Mr. Jacoby to answer the question. What was the least expensive building that you looked at?

Director Jacoby:

The least expensive building?

Michelle Madoff:

And best quality for the money.

Director Jacoby:

The Smithfield Street Building.

Michelle Madoff:

The one that you're recommending.

Director Jacoby:

Yes.

Michelle Madoff:

Why would you object to the Warner Building? Wait a minute. How much is the price of the Smithfield Building?

Director Jacoby:

The 441 Smithfield Street Building has a base rent for the first five years of \$11.75 per square foot, and \$13.25 per square foot for the second five years.

Michelle Madoff:

Are there any escalation clauses on that?

Director Jacoby:

Yes, there are and I'll tell you.

Michelle Madoff:

Are they the same?

Director Jacoby:

Yes.

Michelle Madoff:

The escalation clause on the Buncher Building is also the same?

Director Jacoby:

The escalation clause is uniformed throughout and it includes the cost of operating the building, utilities in the building and the taxes on it.

Michelle Madoff:

And they're identical?

Director Jacoby:

Yes.

Michelle Madoff:

Which is cheaper, \$11.75 or \$11.50?

Director Jacoby:

It depends on how you view the operating costs of the building. You asked me which is cheaper and the best for the money and I told you 441 Smithfield Street Building. The building in the Strip District is \$11.50 per square foot and 25 cents per square foot cheaper. However, it is already spaced and it is now set up and the offer that they made to me was that the space would be taken as is. The carpets have been in there for several years now, the building is farther away from this building and in my opinion, this 441 Smithfield Street Building is a better bargain for the City than the Buncher Building in the Strip District. It's not that Mr. Buncher's building is not a very good building; it is, but it is simply very close to the same cost and not as conveniently located as the other one. Furthermore, the space available to us in 441 Smithfield Building is entirely encloseable, meaning that it does not have fire escapes coming into it, it does not have elevators opening into it — it is entirely securable whereas the space in the Buncher Building is not as easily securable.

Michelle Madoff:

I have no problem but I just want to have it justified. Now the problem I have Mr. Pollock is that I had to fight and thank God some of my colleagues supported me to delay the \$14.00 which would have been railroaded through here to go to the Allegheny Building. Now if the Allegheny Building was \$10.00 then we would consider it but it is \$14.00 and I want to point out to my colleague a little bit of my hostility.

One of the problems that was presented to me, and actually almost got Mr. O'Malley and I in a jam was that they would be willing to go to two years -- do you remember that on the bid -- that we would have a two-year lease with an option and Mr. O'Malley at that time for the record said to go with it. He was not pushing any particular company but it sounded like a good deal and it was not in his best interest. As it turns out that once the Water Department moves in its microfiche, its electronic equipment, its telephones to any building it can't go because you're locked into that facility so that what has happened because of -- perhaps you might call it my adversary role, we did not go into the Allegheny Building at \$14.00 a square foot and we're now going to go into another building at --

Director Jacoby:

At \$11.75.

Michelle Madoff:

And you feel that that is a better building because it is closer and the space is more secure.

Director Jacoby:

Yes.

Michelle Madoff:

Is it true that you looked at both places you saw?

Director Jacoby:

Yes.

Michelle Madoff:

And you would consider using the other space for other entities because you're going to be looking for other rental spaces I understand.

Director Jacoby:

You mean the Strip District space?

Michelle Madoff:

Yes.

Director Jacoby:

I think it has great possibilities for us.

Michelle Madoff:

Because I understand that your quote was, "this is the best place I've seen so far" when you saw it.

Director Jacoby:

Yes.

Michelle Madoff:

So that because we don't go in there with the Water Department doesn't mean that we would not go in with other entities as we need to expand and move out departments.

Director Jacoby:

Absolutely not.

Michelle Madoff:

I want to thank you personally for going out and looking at the other buildings and considering them and you and I had some dialogue about the \$14.00 building and our concerns about the building in general and I want to thank you for that.

There are some questions that I don't quite understand that were presented to me and perhaps you can help me with it. What is a 5-A Executive Package? Is that available in this building?

Director Jacoby:

In which building?

Michelle Madoff:

In the building that you're going into. I understand that the Buncher Building does have it.

Director Jacoby:

There are two Buncher Buildings. The one is where Warner Cable used to be and there is another one called Liberty-Commons which is out at 28th Street. The executive conference rooms? I'm not familiar with what you are saying. I know there are meeting rooms available in the Buncher property.

Michelle Madoff:

Are those the concerns that we ought to be looking at?

Director Jacoby:

No.

Michelle Madoff:

Do you know what they mean?

Director Jacoby:

He's talking about parking spaces.

Michelle Madoff:

Could you tell me how that would provide parking for people going to the building that you pick. Is that not a major factor?

Director Jacoby:

The parking spaces available in the building that Mr. Buncher owns in the Strip District would have been reserved spaces for the staff. By keeping the staff Downtown, we do not need the security and additional parking for them.

Michelle Madoff:

Where would they park?

Director Jacoby:

They would park where they are assigned now.

Michelle Madoff:

You mean they wouldn't have to be assigned parking, they could park there?

Director Jacoby:

Pardon me? If they were parking out at the Buncher Building, there are approximately five spaces available. Having them Downtown we already have the spaces available.

Michelle Madoff:

No you don't have them. We're taking them away from somebody else, people that could use them to give them to these department heads or these people that run the department. They would have free spaces and it would be a

part of the release. Those five spaces have a monetary value, don't they? Where are the spaces presently?

Director Jacoby:

The Director parks in the parking lot at the Public Safety Building and his staff parks on First Avenue.

Michelle Madoff:

What are those spaces worth to us?

Director Jacoby:

We don't put a dollar value on them.

Michelle Madoff:

But there is a dollar value; there is a monetary value attached to those spaces including my space on the street.

Director Jacoby:

Certainly.

Michelle Madoff:

So that what we'd be getting is a monetary value for that building and the fact that there would be five spaces; is that a factor? How do you rationalize that?

Director Jacoby:

I don't count it as a factor at all. I don't find it as an applicable factor merely because if you were to have the staff come Downtown, either the Director would walk or he would need a space.

Michelle Madoff:

Walking is healthy. He is a nice, healthy young man and wants to keep his

figure in shape and he'd love to walk those 15 minutes at a leisurely pace.

Director Jacoby:

I don't view the parking space as a critical situation.

Michelle Madoff:

Where do the people park when they come Downtown? Mr. Smith complained that people come in all the time and they need to pay their bills.

Director Jacoby:

The primary focus for having the building Downtown because of customers' needing and taxpayers needing to get service, is that in many cases it's necessary for a taxpayer to go both to the Finance Department and to the Water Department to resolve your water billing problem.

Michelle Madoff:

How many times a year since that's my committee and I deal with it all the time? And you have to document it because I can document it.

Director Smith:

Do they have to go to the Water Department? I'd say we get maybe in the neighborhood of 1000 to 2000 walk-in customers.

Michelle Madoff:

In the Water Department.

So now we want to make it convenient for builders to be able to be Downtown.

I really don't have a great deal of a problem. The thing that I'm concerned

about is that we didn't go with \$14.00 in a building just because somebody made some phone calls and we're now going to a building as you recommended at \$11.75?

Director Jacoby:

Yes. And the fact of the matter is, no two buildings are identical. And it simply becomes a matter of which one you believe is the best building for the best price.

Michelle Madoff:

I don't have a problem with your choice. What kind of money are we saving between \$11.75 and the \$14.00 over the ten-year --

Director Jacoby:

I believe it comes out to \$123,000 over ten years.

Michelle Madoff:

Can I get a part of that for a vacation? I'll move for approval.

MR. DEPASQUALE COMMENTS

Michelle Madoff:

May I respond with your permission? I understand where Mr. DePasquale is coming from and we had exactly the same concerns Mr. DePasquale, but if Mr. Jacoby has gone out and reviewed the properties and feels that the building is more secure, I'm not going to put the City in a position of outguessing Mr. Jacoby and as he said, there is going to be a lot of departments that we're going to need space for and he thinks that that particular site is an excellent one and it will be used for other facilities. I think it would be not productive to belabor the point.

(END OF REMARKS)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 525

Report of the Committee on Engineering and Construction for March 19, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 237

A Resolution entitled, "Resolution providing for a Contract or Contracts or use of existing Contracts for Renovations to a portion of the third floor, Public Safety Building, Police Administration Offices; and providing for

the payment of the cost thereof."

Which was read.

Mr. Wagner:

In regard to Bill No. 237 and the meeting that we had last week, I would just like to suggest that the Police offices in the Public Safety Building are in deplorable condition, to the point where sometimes you wonder how they function in that building, especially in comparison to many other City offices. There is a need to revamp that building, several floors of that building, so that we can give them suitable headquarters.

In order for people to do a professional job which I believe they do do a professional job, however, they do need their surroundings to be professional. The Communications area in the Public Safety Building and also the various areas where the Detectives branch are located, are simply not suitable and that is the reason for the need for this legislation.

I would like my comments brought forward on Bill 237.

(MR. WAGNER'S REMARKS ON BILL NO. 237 - WEDNESDAY, 3/19/86)

Mr. Wagner:

Members of Council that attended the meeting yesterday, Mr. McDermott and many members of the Administration clarified to us what their proposal is for the renovations of the Public Safety Building for the Public Safety Department and any other department which may be a part of it. I know they satisfied my concerns and a suggestion has been made by Mr. Donahoe to relocate some of the offices in the building so that the public is not as accessible throughout the building which

I think is an excellent idea and for that reason I support the legislation.

(END OF REMARKS)

Also,

Bill No. 377

A Resolution entitled, "Resolution amending Resolution No. 158, effective February 28, 1985, entitled: 'Providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of the Public Safety Building Cooling Tower; and providing for the payment of the costs thereof,' by increasing the total project allocation by \$45,000.00."

Which was read.

Michelle Madoff:

On Bills 237 and 377, while I realize that the Public Safety Building has got to function in the interim, nevertheless, I think it's time that we started to say no, stop the band-aid approach and let's get on with doing the right thing. I'm delighted there's a study underway but I'm going to put my protest in so it's on the record that we better start doing something about making space available and not going out and renting it at exorbitant prices and not giving the Police the very best building they could possibly have.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 409

A Resolution entitled, "Resolution further amending Resolution No. 294, effective April 24, 1984, as amended by Resolution No. 1015, effective November 29, 1984, entitled: 'Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements with Robert W. Hunt Company (Daniel V. Blank, P.E., General Manager) for Professional Engineering Services in connection with the Steel Inspection for the Bloomfield Bridge, Phase III; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$65,000.00."

Which was read.

Also,

Bill No. 410

A Resolution entitled, "Resolution amending Resolution No. 900, effective October 3, 1985, entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with Phase I of the City of Pittsburgh's Program for updating the City Survey Control System; and

providing for the payment of costs thereof,' by increasing the total project allocation by \$5,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 411

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Architectural/Engineering Services in connection with the Rehabilitation of Roofs of Various Buildings; and providing for the payment of the cost thereof."

Which was read.

Mr. Wagner:

I would like to strongly suggest to my colleagues that Bill No. 411, that my comments be brought forward on that

also.

**(MR. WAGNER'S REMARKS ON BILL
NO. 411 - WEDNESDAY, 3/19/86)**

Mr. Wagner:

Discussion. Members of Council, I don't know if all of you have a copy of the legislation showing the six locations where we are going to do roof replacement, but this legislation as it pertains to those locations was in front of Council last year and at that time I motioned to table the legislation and Council supported me on it. I firmly believe that we do not need consultants to tell us what type of work needs to be done, to put a new roof on a building. As a matter of fact, those that quote on these jobs, meaning the roofing companies themselves, clearly define what the needs are for that roof, meaning the number and sheets of built-up roof, insulation, sheeting, metal work, etc., that's necessary to correct it. We are duplicating the efforts of the roofing companies themselves that are bidding on the project. I do not believe that we need to spend this money. In addition, I understand we have two full-time roofers that are employed by the City of Pittsburgh and I am sure they are very competent and are knowledgeable about what needs to be done when a new roof is put on a building. Generally all it involves is tearing off the old roof and putting on a new roof with very little and in most times no structural work to be done.

In addition to the two full-time roofers, I firmly believe that if we need someone with engineering expertise to do that work, all we would have to do is send someone from our Engineering Department to a seminar to bring them up to date on the modern technology involved in roofing. So therefore, I cannot support this legislation and I have

not supported it in the past in regard to consulting contracts for new roofs. These are not new structural roofs. They are simply re-roofing a building just as you would re-roof your home in terms of putting new shingles on, new flashing and other types of work so therefore, I can't support the legislation.

(END OF REMARKS)

Mr. Wagner:

We do not need consultant contracts to tell us how to put a new roof on a building. I know I've talked about this every time this legislation comes up in Council. We should have someone on staff and I believe we do have two people on staff, two roofers that work for the City that are very competent people and the roofing contractors themselves actually provide this service free of charge.

So, I personally don't think we need to go out and spend good money to tell us how to take an old roof off and put a new one on. I would strongly suggest that we not vote in favor of Bill No. 411.

Michelle Madoff:

Mr. President, correct me if I'm wrong, if it is not for the roofers it is for the handling of the bids, the preparation of the bids. Now, I don't know why we don't have anybody in-house that does it anyway so I'm inclined to agree with my colleague.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 6 NOES 2

(MICHELLE MADOFF AND MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 412

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Architectural/Engineering Services in connection with the Design of the Rhododendron Picnic Shelter; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 413

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh and Lake Erie Railroad Company granting the City license and permission to construct, maintain, renew, use and ultimately remove one (1) 30-inch diameter waterline enclosed in a 42-inch diameter steel casing pipe under property, right-of-way, land and track at Survey Station 236+48.1, situated in the City of Pittsburgh, Allegheny County."

(AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 463

A Resolution entitled, "Resolution amending Resolution No. 967, effective October 16, 1985, entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants for architectural, engineering and graphic design services in connection with the design of the implementation of the Zoo Master Plan; and providing for the payment of the cost thereof,' by adding the phrase, 'or use of existing Agreements.'"

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

I have two items I would like to bring to the attention of Council.

The first item is one I think of terribly, absolutely, unbelievable significance. On a Sunday I got a call from No. 3 Police Station about a water leak that was taking place across from the Chatham Hotel, in that general area of Fifth Avenue. I tried to call the emergency number of the Water Department. For 20 minutes or so there was no answer, for about a half hour it was ringing busy.

Because there had been no answer for a period of time and then they didn't answer after that, I thought perhaps the line was out of order. So, I called the Telephone Company and said could you please verify the emergency number for the Water Department. They came back and told me they could not do that. The reason they could not verify the line is that the line has a mandatory no interrupt, the premise being that if there's an emergency going on you don't want to interrupt with another emergency. It would seem logical to me if there's an emergency you would not take an interruption, you'd say not now, please call back. More important than that is the fact that the line can't be verified. If that line were out of order and you can't verify it, somebody could be calling about the kind of leak we had at Hays area and the Lincoln Place area where there was havoc created. Fortunately, we don't have to pay that bill, West Penn Water is going to pay it. But we're talking about hundreds of thousands of dollars. There was no way to get through.

When we have a leak in the City such as the one that put the five

hospitals out of commission, that leak or that waterline break creates havoc not only at the major break but the pressure of the water exacerbates other potential leaks that are just starting and may not have shown up for another year or two and those leaks occur and sometimes they are half a mile, certainly blocks from each other.

I would agree that if a line is busy you can't call in. Perhaps there needs to be two lines, you say hold the line a moment, please. But more importantly, we have to be able to verify if that line is out of order.

I brought that to the attention of the Water and Sewer Authority, that's Mr. Richard Cosentino, and I don't know if that's being taken care of. I have no communication with Mr. Smith simply because he doesn't return calls, not only to me but to the media. He just doesn't return calls; it's against his religion. I cannot get to work with him under any circumstances. As you know, he sat here in Council and when I asked him why he didn't fill the position that this Council put in for an engineer who would have particular expertise in water pressure, he told me that if I would write out the description he'll hire him. He doesn't need anybody, he doesn't know what the person is needed for. When I asked what Mr. Jim McNamara was doing, what his credentials were, he said he didn't know. I asked him if he was an engineer and he said he didn't know. That's a matter of record; he did it on camera.

We are having some very significant water problems. Presently there are studies being done, borings being done to see if the subsidence, mine subsidence, were impacted at all by Herron Hill Reservoir water leaks, if there were any water leaks in addition to the fact that we had a waterline break. As you know, they've stopped the

demolition of that area and we're awaiting some kind of response. I understand that Mr. McDermott has been assigned to do the overview for that situation. We've been trying to get him on the line. The Mayor was meeting today with Mr. Smith and Mr. McDermott and we're waiting for the State and the Feds to come back with their testing and we should have a report to this Council.

I am very concerned with how the Water Department is run. I'm going to do an investigation of that department from the ground up, every single department, because I'm tired of having everybody call me at home that works in the Water Department to tell me their own little personal problem with the Water Department. I know that there have been people who believe that it's just people being put upon to work and produce a day's work that are complaining. I don't believe that is the situation at all. I believe the morale in that department is disheartening, that we are not doing the kind of job that we should be doing and I'm really distressed, Mr. Wagner, as a member of the Water and Sewer Authority if you would take a message back that I just left for Mr. Roddey with his secretary. I really believe that the Water and Sewer Department is a beard, a beard meaning if you're married and you're having a date with another man and you bring another woman along to say that's who he's really going out with, that's the beard. The Water and Sewer Authority are a beard. All they are is a leasing authority in the sense that they borrow money. They borrowed the money, they put it in a bank for two years to get arbitrage, which is legal but will not be legal anymore; under the new federal laws it will be six months. But for two years they draw interest, they do very little work except some studies. Then they can say to people they're going to

lower the senior citizen rates which I'm all for, but use that money so we don't have to use the taxpayers' money. But they have had really no responsibility to the rate payers for the functioning of a proper, efficient, Water and Sewer Department. That's done by Public Works, Department of Engineering and Construction, and by the Water Department so that those people can retain their bennies, so they can be on our staff and have their benefits and so it should be, providing the job is done.

I repeat, there's an old Irish proverb, or a Jewish proverb, that when a fish stinks it stinks from the head. I am absolutely incensed at the way our Water Department is functioning. The Water and Sewer Authority had better pick up its responsibility and they do have the authority if the Department of Water is not running properly to take over that department and see that they clean up their act.

As I said, I'm going to be monitoring that. I'm going to spend the rest of this year going through every inch of that department. I'll report back on the Water Department.

On another item. Some time ago, not too long ago, I was not present, I was a little late for Council and a gentleman, I use the term loosely, Mr. Ferlo was carried out of this room. As I said before, Mr. Ferlo wants on this Council so badly that his tactic is to be carried out of it as often as possible so that he could get elected. That doesn't bother me but what does bother me is the infringement on the First Amendment. I do not believe that Brother Richard gave the satisfactory response of turning off the sound.

This Council, and any thing that happens in this Council, people have a right to know. Taxpayers elect us, they

should know what actions we take. It is unconscionable to me that the sound was turned off. It would have been worse if the action had not been filmed but I think we are really not coming across in a good light when we encourage that kind of thing and I would like to have someone second a motion from me that a letter go to Brother Richard that we never have that kind of thing happen again. I make that in the form of a motion and I hope one of my colleagues would second it.

Mr. Pollock seconded the motion.

Mr. O'Malley:

What was that motion?

Michelle Madoff:

The motion is that when anything happens in this Council that is on camera that we do not cut off the sound or vice-versa.

The Chair:

It was on camera. The only thing that wasn't on camera was Mr. Ferlo's antics or anyone else that was there, their antics were not on camera. It was on that table where all members were sitting and that's why the voices were cut off. And I completely agree with Brother Emenecker. I don't agree with what the editorial writers say; I agree that we cover the people that are speaking and that's what this Council is all about and that's what these cameras are for, for the people that are speaking and doing Council business.

Michelle Madoff:

May I respond?

The Chair:

No you may not because there's a

couple other speakers ahead of you.

Michelle Madoff:

When you're through I'd like to respond to you.

Mrs. Masloff:

Mr. Emenecker operates on orderly meetings. The camera is on the person that was recognized by the Chair. That is the purpose of the proceedings so that the meeting, Council regularly organized meetings will be televised, not anybody that's acting up in the audience. Mr. Emenecker tries very hard to record the meeting and just the meeting and the camera is on the person that is recognized. That's the purpose of televising the meetings, not what's going on in the audience and people being carried out and screaming and carrying on.

Mr. O'Malley:

I also support Brother Emenecker's position. If James Ferlo's antics were recorded, I feel all that would do is encourage other people to come to Council sessions and disrupt them. The public hearings that we hold are, one, for the benefit of Councilmembers but they're also, two, they're for the benefit of the public. They let the public come in front of this Council, they let the public speak their minds to give us different viewpoints, and they have some input on the decisions that this Council make.

The people that come to speak in front of this Council I am sure do not want the James Ferlos of the world disrupting their testimony in front of this Council no more than this Council wants that testimony interrupted.

The public hearings are for the

people; they're not for grandstanding tactics by people like Mr. Ferlo. If we would encourage, if we would permit Brother Emenecker to film these type of antics, all that would do would be to encourage Jim Ferlo and other people to do the same stunts on a constant basis. So, I agree with Brother Emenecker on this point.

Mr. Wagner:

In regard to both issues, the second issue first, the Council public hearing. I don't think the issue is an individual that was here and was ruled out of order and taken from the Chambers. I think the issue really is what and where should things be said in this Council. The microphones are set up at that table and at the podium. What went on that day did not take place at the podium or at that table, both what was said and the actions that went along with it, and I believe Brother Richard has every right to set standards for his employees that work here to televise certain areas of Council, both for audio and for visual and that's what he did that day.

We all know in advance whenever we have a presentation that we want to put on here like we did last week on the Pirate issue where we have some type of visual that we have to let Cable Communications know in advance where those cameras have to be directed, where the microphones have to be. We cannot expect them to be able to televise all areas of this Council and to also record all areas of this Council.

That's exactly what took place that day. That individual was not recognized by the Chair, that individual was not at the podium; therefore, there was no need, according to their procedures, to record that information and I fully agree with it.

The second issue, in regard to the Water and Sewer Authority, being a member of that, I believe that the Water and Sewer Authority has done a good job. Certainly we're not perfect and we don't do everything right but we are trying to make a new authority run in the proper fashion. Any recommendations can be brought up at the Water and Sewer Authority meetings. I'm sure that the Board of Directors will look into them.

In regard to the Water Department, my colleague is the Chair of that Department and they are your responsibilities, moreso than any member of this Council.

Michelle Madoff:

That's what I said earlier.

The Chair:

Wait a minute, we're off the Water issue. Now we're on the Cable issue.

Mr. DePasquale:

In regard to the Cable issue, I just want to echo the sentiments of Councilman O'Malley and I would add an old proverb, "Monkey see, monkey do".

Mr. Pollock:

I would just like to say that I thought a great deal about this matter. There were editorials and there were newspaper articles about it. I think it's a very, very close call. I don't think it's a black and white issue and I think that Brother Richard acted totally in good faith. I don't think that he was acting malignantly at all.

I do feel, however, that the bottom line is that it's a balancing test and that while admitting that it's a close call, I

must disagree with Brother Richard's actions in this case. I balanced the test and feel the weight goes toward leaving the camera and the microphone sound on for one basic reason, and that is, whether for better or worse, I do not feel that any party who is unable to come Downtown should be deprived of anything that happens once the public hearing starts simply because he or she is unable to come to the public hearing. The actions that take place away from the microphones, whether for better or for worse, are obviously available for listening and observing by everybody who is here; so in turn should everybody who is unable to get here because of health or work or physical inability, they should not be deprived of that.

So, it's a close call and I have to side with leaving it on for that reason.

Michelle Madoff:

Mr. Pollock said it very eloquently but let me just summarize two issues. Number one, the cameras were on. If we're going to follow the logic that was stated by everybody here defending Brother Richard, and I happen to think Brother Richard does a phenomenal job; one mistake doesn't make him a bad guy. But I think it was a bad mistake because, if everybody's statement here was correct, then you shouldn't have had the camera on. If he had the camera on he should have had the sound on. That was discretionary, it was discriminatory, and it was wrong. That's my opinion; you're entitled to your opinions.

The Chair:

I want to correct you on one thing if I can. The camera was not on that individual or that incident. The cameras were not on that. The cameras were on the table.

Michelle Madoff:

But he was on camera being carried out of here.

The Chair:

Not on these TV cameras, on Channel 2 or Channel 11 or Channel 4, on their TV cameras, and these reporters reported it. I'm sorry that the Press and the Post Gazette did not have their photographers to take pictures. Maybe that's what the editorial writers wanted; they wanted to see it on TV, on this Channel 17, if they didn't get a chance to watch the 6:00 or 11:00 news, they wanted to watch it at 7:00. I say shame on them. It was not on Channel 17. The table was shown on Channel 17. We, all of us conducting public business was shown on Channel 17.

Michelle Madoff:

May I continue?

The Chair:

Yes. I'm sorry for interrupting you.

Michelle Madoff:

I thank you for correcting me, Mr. President. I must tell you that I don't choose to live through this meeting twice. I don't watch it on Cable. I must tell you that I was not aware that it was not on our cable and I think that's a gross injustice. I think that the media is absolutely entitled to represent this Council because the media is the guardian of the public's right to know.

I think as I said before, Mr. Pollock said it far more eloquently than I can, I think his law training has put him light years ahead of me, that people who were here saw what was happening and the people at home should have the same

opportunity and the same right and he should not be discriminatory in what he shows. Once the meeting starts, everything should be shown.

I want to take it a step further. One of the positions that my colleagues other than myself have taken, I think Mr. Wagner is a supporter, I'm not quite sure, I know that Mr. O'Malley is and other members, that we should show everything on Council. I don't mean a little zoning hearing with nobody objecting that takes up time, but almost every public hearing and particularly post agendas when they are significant and not the ravings and rantings of one person who could go ahead and get the information somewhere else, but a post agenda where most of us wish to attend because it's of significant importance should be on camera because, folks, if you're listening, you're not getting what's happening here. The only time we find out what's going on is if you're watching the Monday meeting we're allowed to speak and if a hearing is on camera, cable. Otherwise, you really don't know what's going on here because that's where the action takes place. I think that's unfortunate.

I would like to see more of our public hearings televised. There are times when I'm not here and people say, "Madoff isn't at the meeting, shame on her". So be it, let the cards fall where they may. Sometimes I think another meeting is more important that I have to be at. And if I'm not here, I'm going to have to take my licks for that. But I believe that all substantive hearings and all post agendas should be on camera. I've said that many times and I would hope my colleagues support me.

Mr. Pollock:

One other thing I wanted to add as to why I do support Michelle's motion for

a letter, in addition to my feelings that those at home should not be deprived of anything that does occur once the hearing starts, I think also there is the desire to avoid even the appearance of any type of avoidance of anything that goes on or the hiding of anything. I think that we have to be very, very careful about the way in which these types of matters are conducted in our friends who are in the societies that are more totalitarian than our, where cameras are turned off and sound turned down when something occurs that they do not want the public to know.

Again, I am not stating at all that this was Brother Richard's intent nor, if he were to continue to do this would that be his intent in the future. But I take it from the standpoint that we have to avoid even the appearance of that type of activity and if I'm sitting at home and a public hearing starts and all of a sudden the sight and/or the sound is gone, I have to wonder what are they hiding from me. Being a civil libertarian, being concerned about avoiding the appearance of this type of totalitarian action, I have to side on the issue of leaving it on no matter how inconvenient or how undesirable it may be, and Jeep's comments is very well taken that we might be leaving ourselves open to other people coming in and doing this type of activity. But, again, I think that's the lesser of two evils.

The Chair:

Okay. Discussion is over. Roll call vote as to whether to send Brother Emenecker a letter asking him —

Michelle Madoff:

No sensorship.

The Chair:

No, that's not what you asked. Anyway, roll call vote on Michelle Madoff's letter to Brother Emenecker to keep the cameras on for the disturbance, try to focus the cameras on the disturbance and keep the sound up.

Mr. DePasquale:

I want to be sure of the motion because sensorship was brought up by Ms. Madoff. Let her word her own motion so I know what I'm voting on. I don't want the newspapers or the news media saying that I'm for sensorship. I don't want to get in to that.

The Chair:

That's what I said, that's not what we're voting on. We're voting on a motion to send Brother Emenecker a letter --

Mr. Pollock:

Point of order. Let her draft her own motion so we all know exactly voting on.

The Chair:

Say it right now, Ms. Madoff.

Michelle Madoff:

A letter to go to Brother Richard urging him to keep the camera and the sound on all activities of importance going on during a hearing once the hearing has started so there would be no impression of sensorship.

The Chair:

I would ask that no one vote on this issue at all for the simple reason that Ms. Madoff is using the terminology

sensorship and it's going to embarrass every one of you. These people who are sitting here are going to write down that Council votes on sensorship.

Michelle Madoff:

Do you want me to take the word out?

The Chair:

That's exactly what I want you to do.

Mr. O'Malley:

I move to have the motion or resolution in written form before we vote on it.

The Chair:

There's already a motion on the floor. Ms. Madoff made a motion and Mr. Pollock seconded it.

Michelle Madoff:

I'm doing an editorial comment when I said sensorship. I would be happy to take it out. I think everybody understands that a letter would go to Brother Richard from this Council urging him, once a meeting has started, to cover any disturbances, anything that the commercial televisions or media would be subject to so those people at home would have the opportunity to know what has happened the same as the people in the room, as stated by Mr. Pollock.

Mr. O'Malley:

I have a question on the letter. In other words, what you're asking, Michelle, is that if this Council is conducting a public hearing, and even if there is a speaker at the podium discussing his point of view, that if

people like Mr. Ferlo were in the back jumping up and down and trying to intentionally disrupt a public hearing, trying to intentionally disrupt a speaker at the podium, that the camera should focus off of public business and focus onto the antics of the individual that is intentionally trying to disrupt a public hearing. Is that what your letter is stating?

Michelle Madoff:

First of all, the camera would not be on the person if there is a disturbance because the person would no longer be speaking. So, that's a contradiction in terms.

Mr. O'Malley:

No it's not.

Michelle Madoff:

The camera would focus on what was going on of significance in the room, the same as the commercial televisions do to keep the public informed. Why are we afraid of keeping the public informed? What's going on here, this nitpicking on my words? What are you afraid of?

When Michelle Madoff was erroneously charged with disrupting a meeting because we had some foreign dignitaries here and the former President of Council did not want me to explain the three-pronged monster and gavelled me out of order and I had to take an ad to say that we have a copy of that tape. I was filmed, I was reported. I'm willing to stand up for what I say and what I believe and if I'm wrong, I'm wrong; let the public judge me. We are not going to judge what happens in this room; let the public judge. And they can't judge if they don't know what's happening.

Mr. O'Malley:

I just wanted to understand that that was the intent of the letter, that if we're in a public speaker and if there's a speaker or one of us is speaking and somebody is doing some clown antics and jumping up in the room like a little child to get some attention, that we would expect Brother Emenecker to focus the camera on the clown.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff Mr. Pollock

AYES 2 NOES 6

VOTING NO:

Mr. DePasquale Mr. O'Malley
Mr. Grabowski Mr. Wagner
Mrs. Masloff Mr. Woods
 (Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Mr. DePasquale:

Mr. President, when I was President of Council, I would close by saying, Motions, Resolutions and Suggestions. This is more or less in the form of a suggestion.

All of us over the weekend obviously read the Press and the Post Gazette in regards to the Mayor's Task

Force's comments on the five developments that they had in front of them and I believe they resoundly said that they favor the Riverside Project or are leaning that way, anyway.

My only concern is that due to the fact that the Task Force is leaning that way, I would urge my colleague, the Chairman of the Planning and Development Department, Mr. Pollock, to talk to the Mayor and urge the Mayor to make Riverside a priority. I believe two of our members serve on that task force, Michelle Madoff and Jack Wagner, and according to the comments in the paper, they also leaned that way although they are only two votes on that task force.

Michelle Madoff:

May I respond? We were asked on the task force not to go public with any of the information. However, since that material belongs to the individual corporations and everybody is pushing for their own project, Art Ziegler who is a very good friend of mine, History and Landmarks, is pushing for Station Square and saying mine is the only one, we don't need anything else. Armstrong Clark is pushing for their project, the North Side people of the of the City is pushing for the North Side to develop it to save the Pirates and there are a lot of us who believe before you came back to Council, Mr. DePasquale, I think this Council, including Mr. Stone, are taking a very strong position in support of the festival, the Riverside Festival Center.

My own personal gut before I went on the task force is that that is probably the most single most important thing that we should be addressing. If we have \$21 million to go out on a bond for the Pirates, we have \$26 million to create jobs in this community. The security on the Pirates is the franchise, if it's sold

we get our money back. In the case of any of the developments, be it Station Square or the North Shore or whether it's the Festival Center, the security of the people that are coming in saying, "Right now, I'll put my money where my mouth is" and we'll put in projects which gives us the tax base to justify going out on a bond.

The Committee is made up of very heavy hitters, people who really understand the business. I believe that they will come up with recommendations that will be very positive. Personally, I'd like to see us go out on all of them because the only hope of Western Pennsylvania turning around and having jobs is to really do all three projects at once. I do want you to know that I agree that that is a very important project.

Mr. Wagner:

May I make one comment, Mr. President? In reference to my colleague's comment about the task force and the article that appeared in the paper, the task force has not yet made any type of opinion as to what project is moving along or should be considered first over the others. The reasoning behind it is that all information is not yet in for all projects. Hopefully, that conclusion will be made probably within a three or four month period of time.

I think everyone knows where I stand and the fact that I'm on the task force and the fact that I have campaigned for the Convention Center site project for about a year and a half, since Councilman Grabowski and I put a resolution in front of Council, and probably have literally thousands of hours in lobbying for it. However, I think the Mayor made the intelligent decision by putting together a task force and hopefully that task force will properly

represent all the people of the City and will make a decision as to which project benefits the City the most. I don't think the Mayor will make a decision and I don't want to speak for him at this point in time. I think he's simply waiting to see what the final decision is from the task force and hopefully that will be forthcoming and hopefully that will be the decision which all of us will move forward with and hopefully it will be the right decision.

Mr. Grabowski moved to excuse Mr. Givens for absence from the meeting.

Michelle Madoff seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Grabowski**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX Monday, March 31, 1986

No. 13

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, March 31, 1986

PRESENT:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

ABSENT:

Mr. Givens
Michelle Madoff

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

We're going to deviate from our regular order of business. We have a special award to be given out today to the staff and the members of Pittsburgh City Council from the Heart Association.

I'd like to call up Jim Baker from A-I Showcase and Vern Schaefer from the American Heart Association.

For those of you who don't know, Council won raising the most money for the American Heart Association in the Bikeathon a few weeks ago.

I'd like to also have the members of the staff that participated in bicycling on that day. Would you please come up and receive your trophy?

Pat O'Toole and Jean Gill really coordinated it for all of us.

Mr. Schaefer:

I just want to thank everybody involved because it takes a lot of effort for a 24-hour event to really work and your team really did a great job.

First, I'd like to give a trophy for the most money raised to a team. We want to thank you; we appreciate it very much.

Secondly, to the President, President Woods, I'd like to give you this trophy for the most money for an individual which I think is the most in the three years that we've done it. I think

Departments.

Also,

No. 536 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of Multi Station Exercise Machines for the Department of General Services, at a cost not to exceed \$32,500.00, chargeable to and payable from Miscellaneous Equipment for City Departments.

Also,

No. 537 Communication from George Jacoby, Director, Department of General Services, requesting authorization for George Jacoby, to attend a Contracting for Services Seminar in Atlanta, Georgia on April 24 and 25, 1986, at a cost not to exceed \$700.00, payable from Code Account 1128, Miscellaneous Services.

Also,

No. 538 Communication from George Jacoby, Director, Department of General Services, requesting authorization for Elaine Sadowski to attend a Mechanical and Electrical Estimating Seminar at Station Square, Pittsburgh, PA on April 30 and May 1, 1986, at a cost not to exceed \$600.00, payable from Code Account 1128, Miscellaneous Services.

Which were severally read and referred to the Committee on General Services.

Mrs. Masloff for Michelle Madoff presented

No. 539 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of office furniture and equipment for the

Department of Water at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account 1925, Equipment, Department of Water.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 540 Resolution authorizing the issuance of a warrant in favor of Fleming Gray Limited in the amount of \$879.30 in payment for parts for the skate sharpening machines at Schenley Park Skating Rink, chargeable to and payable from Code Account 1806, Materials, in the Department of Parks and Recreation.

Also,

No. 541 Resolution authorizing the issuance of a warrant in favor of Hendee Zoological Company II in the amount of \$545.00 in payment for the purchase of birds furnished for the benefit of the City, chargeable to and payable from the Aviary Trust Fund, in the Department of Parks and Recreation. (PRIOR APPROVAL GRANTED)

Also,

No. 542 Resolution authorizing the issuance of a warrant in favor of Carnegie Library of Pittsburgh in the amount of \$896.45 in payment for utility costs for the Sheraden Senior Citizen Center, chargeable to and payable from Code Account 1803, Utilities, in the Department of Parks and Recreation.

Also,

No. 543 Resolution authorizing the issuance of a warrant in favor of Stadiums Unlimited in the amount of \$600.00 in payment for parts for the Trans-stage, chargeable to and payable from Code Account 1806, Materials, in

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the Department of Parks and Recreation.

Which were severally read and referred to the Committee on Finance.

Also,

No. 544 Resolution providing for the filing of an application by the City of Pittsburgh with the Pennsylvania Commonwealth, Department of Education for a grant in connection with the Special Summer Food Service Program Project: providing for the execution of Grant Contracts and for the filing of requisitions and other data, approving the Project, providing for required assurances, providing for execution of payment vouchers or Letter of Credit and for certification of authorized signatures, and providing for the deposit of the funds in Special Summer Food Service Program account.

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 545 Resolution amending Res. No. 171, effective March 11, 1986, entitled: "Providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing and delivery of twenty (20) Lawnmowers and fifteen (15) two/four wheel tractors for the Department of Parks and Recreation, payable from Code Account 1808, Equipment, Department of Parks and Recreation, and for payment thereof," by increasing the number of two/four wheel tractors from fifteen (15) to twenty (20) and the amount provided from \$63,900.00 to \$86,875.00, chargeable to and payable from Code Account 1808, Equipment, Department of Parks and Recreation.

Also,

No. 546 Resolution amending Res.

No. 169, effective March 11, 1986, entitled: "Providing for the letting of a Contract or Contracts, for the use of existing Contracts for the furnishing and delivery of various park maintenance equipment for the Department of Parks and Recreation, and for payment thereof," by decreasing the amount provided from \$33,100.00 to \$9,345.00, chargeable to and payable from Code Account 1808, Equipment, Department of Parks and Recreation.

Which were read and referred to the Committee on General Services.

Also,

No. 547 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of supplies and materials for major repairs in the Department of Parks and Recreation at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account PR 86-06, Major Repairs and Emergencies, in the Department of Parks and Recreation.

Also,

No. 548 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Thomas B. Walsh, Randolph O. Goodlett, Robert Wagner, Kenneth Billin and Marjorie Marks to attend the American Association of Zoo Parks and Aquariums Northeastern Regional Conference in Mystic, Connecticut from May 4-7, 1986, at a cost not to exceed \$1,510.00, payable from Code Account 1852.

Which were read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 549 Resolution Repealing

Resolutions, approved on various dates, for sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 514 of 1947, as amended.

Also,

No. 550 Resolution providing for the filing of a petition for the sale of property acquired at a tax sale in accordance with Act No. 171 of 1984, effective December 11, 1984.

Also,

No. 551 Resolution providing for the filing of a petition or petitions for sale of properties acquired at tax sales in accordance with Act No. 514 of 1947, as amended.

Also,

No. 552 Resolution Repealing Res. No. 959, Item M, approved October 1, 1981, which authorized the sale of property in the 19th Ward, being a vacant lot, located on Southern Avenue, designated as Block 4-K, Lot 231, to Robert J. Luttig and Nicoletta L. Luttig, his wife, for the sum of \$450.00. The reason for the above Repealing Resolution is that the Title Search revealed that the City of Pittsburgh does not have a marketable Title for this property, as it was taken incorrectly.

Also,

No. 553 Resolution amending Res. No. 36, Item L, approved February 4, 1986, which authorized the sale of property in the 21st Ward, being a vacant lot at 1323 Adams Street, to James Glascoe & Evelyn A. Glascoe, his wife, for the sum of \$600.00. The reason for the above Amendment is to make the following corrections: The Block No. should be 22-F, not 23-F; the correct lot size is 22 X 128.75 - not 22 X 129; the

former owner's name was Pearl Kirk. All of these corrections are to be made on both the Proposal and the Resolution.

Also,

No. 554 Resolution amending Res. No. 36, Item J, approved February 4, 1986, which authorized the sale of property in the 19th Ward, being vacant land, located on Coast Avenue and Cagwin Street, designated as Block 35-J, Lots 96-98, 157, to John R. Kilkeary and Mary G. Kilkeary, his wife, for the sum of \$975.00. The reason for the above Amendment is that it was discovered that there is a sanitary sewer line built on the Coast Avenue properties. This renders the properties unusable, and the purchaser no longer is interested in them. However, he is willing to continue the sale with the remaining property on Cagwin Street.

Also,

No. 555 Resolution authorizing the City to enter into a Cooperation Agreement or Agreements with the County of Allegheny and the School District of Pittsburgh to implement a pilot program whereby students of the Connelley Skill Learning Center shall rehabilitate a certain single family dwelling located at 1721 Cliff Street, in the 3rd Ward, City of Pittsburgh, which property is owned by the Three Taxing Bodies; at a cost not to exceed \$25,000.00; payable by the Three Taxing Bodies shall be charged to the Three Taxing Bodies Special Trust Fund (TTBSTF).

Also,

No. 556 Communication from Richard S. Caliguiri, Mayor, requesting authorization for George R. Whitmer to attend legislative meetings in Harrisburg, PA on April 22, 1986, at a

cost not to exceed \$350.00, payable from Code Account 1017.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 557 Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William J. McShane II of 5440 Ellsworth Avenue, Pgh., PA 15232, for the sale of Block 23E Lot 220 (412 Jacksonia Street) in the 25th Ward of the City of Pittsburgh, for the sum of \$800.00 — Neighborhood Housing Fund. The Redeveloper plans to rehabilitate the existing residential structure on this lot.

Also,

No. 558 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Nadine Brnilovich of 2914 Harcum Way, Pgh., PA 15203, for the sale of Block 30A Lot 171 (2912 Harcum Way) in the 16th Ward of the City of Pittsburgh, for the sum of \$270.00 — Residential Land Reserve Fund. Vacant Property Review Committee. The Redeveloper plans to use this lot as a sideyard.

Also,

No. 559 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to convey and the City of Pittsburgh to acquire the property designated as Parcel 119 in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32, for the sum of \$1.00 plus all necessary and incidental expenses. The URA is transferring this Parcel to the City in conjunction with the relocation of this existing Martin

Luther King Reading Room. The City of Pittsburgh intends to use this Parcel for the construction of a new facility for Carnegie Library to be known as the Martin Luther King Reading Room. The size of the Parcel is approximately 26,000 square feet.

Also,

No. 560 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 12th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block and Lot 125-K-130 (6700 Hamilton Avenue) under the Residential Land Reserve Fund, for the sum of \$1.00 plus all necessary and incidental expenses. The property is presently vacant land, which the Authority is acquiring for the purpose of reselling it to a Mr. David Anderson of 4756 Baldwin Manor, Pgh., PA 15217. Mr. Anderson is proposing to develop the site into a pet grooming and pet resort facility. The lot size is approximately 9,662 square feet.

Also,

No. 561 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 14th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block and Lot 125-P-151 (6807 Thomas Boulevard) under the Residential Land Reserve Fund, for the sum of \$1.00 plus all necessary and incidental expenses. The property is being acquired for resale to Emma Slaughter of 7400 Hermitage Street, Pgh., PA 15208. The vacant lot will be sold as a site for new construction. (One family residential).

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 562 Resolution providing for the issuance of a warrant in favor of First Response, Inc., 4788 Highway 42, Ellenwood, GA 30049, in the amount of \$1,233.00 in payment for Inverter Reconditioning, chargeable to and payable from the Department of Public Safety, Bureau of Emergency Medical Services Code Account (EMNEAS). This service was necessary to convert AC electric to DC Current and Vice Versa.

Also,

No. 563 Resolution providing for the issuance of a warrant in favor of Penetone Corporation, 74 Hudson Avenue, Tenafly, NJ 07670 in the amount of \$363.60 in payment for a Power Cleaner, chargeable to and payable from Emergency Medical Services Code Account (EMNEAS).

Also,

No. 564 Resolution providing for the issuance of a warrant in favor of National Academy of Criminal Justice, P.O. Box 102, Midway, MA 02053 in the amount of \$295.00 for an In-Car Seminar Police Training Program, chargeable to and payable from the Department of Public Safety-Third Party Payers, Code Account (DPSTPP).

Also,

No. 565 Resolution providing for the issuance of a warrant in favor of Lafayette, Indiana 47903, in the amount of \$329.28 in payment for repairs made to a Polygraph Machine, chargeable to and payable from the Department of Public Safety-Third Party Payers, Code

Account (DPSTPP).

Also,

No. 566 Resolution providing for the issuance of a warrant in favor of Insulfoams, Inc., 3550 Spring Garden Road, Pittsburgh, PA 15212, in the amount of \$4,990.00, in payment for foam filling of the pontoons of the Boat House, chargeable to and payable from the Department of Public Safety, Bureau of Police, Code Account (DPSTPP).

Which were severally read and referred to the Committee on Finance.

Also,

No. 567 Communication from John Norton, Director, Department of Public Safety, requesting authorization for Thomas Hitchings, Jack Faulkner and Ralph Jedrzejewski to attend the I.A.A.I. Seminar in Atlanta, Georgia from April 26 - May 2, 1986, at a cost not to exceed \$2,500.00, payable from the Department of Public Safety Third Party Payers Trust Fund.

Also,

No. 568 Communication from John Norton, Director, Department of Public Safety, requesting authorization for Joseph G. Stottemyer and George F. Nave to attend a Polygraphers Seminar in Virginia Beach, Virginia from May 12-15, 1986, at a cost not to exceed \$1,500.00, payable from the Department of Public Safety Third Party Payers Trust Fund.

Also,

No. 569 Communication from John Norton, Director, Department of Public Safety, requesting authorization for Robert McCaughan, Thomas Huerbin, John Bronder, Jack Marks, Harold

Denson and Anthony Laush to attend a River Rescue Course in Belfont, PA from March 21-23, 1986, at a cost not to exceed \$60.00, payable from the Department of Public Safety Third Party Payers Trust Fund.

Also,

No. 570 Communication from John Norton, Director, Department of Public Safety, requesting authorization for twelve (12) Police Officers to attend a Motorcycle Safety Training Seminar in Pittsburgh during the month of April, 1986, at a cost not to exceed \$15,000.00, payable from the Police Recruit and In-Service Training, Bureau of Police.

Also,

No. 571 Communication from John Norton, Director, Department of Public Safety, requesting 10 staff members to attend various legislative meetings at various times during this year, in Harrisburg, PA, at a cost not to exceed \$10,000.00, payable from the Department of Public Safety Third Party Payers Trust Fund.

Which were severally read and referred to the Committee on Public Safety.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 572

Report of the Committee on Finance for March 26, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 467

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Beaver Valley Builders Supply, Inc., in the amount of \$511.60 in payment for ready mix concrete furnished for the benefit of the City without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 468

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of American Red Cross, Pittsburgh-Allegheny County Chapter in the amount of \$521.75 in payment for CPR Instruction Services furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7

NOES none

And there being two-thirds of the votes of Council in the affirmative, the

bills passed finally.

Also,

Bill No. 469

A Resolution entitled, "Resolution transferring the amount of \$9,923.00 from the Trust Fund Account Pittsburgh Zoo Capital Development and Improvement (PZCDI), Index Code No. 253708, to the Trust Fund Account Friends of the New Zoo (FNZ), Index Code No. 252106; in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 473

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of James L. Smith Insurance Agency in the amount of \$10,261.00 in payment for extension of Public Official

Name Schedule Bond No. Ex 540-850 issued by American States Insurance Company for the one year period beginning January 1, 1986 and ending December 31, 1986 furnished for the benefit of the City in connection with the Job Training Partnership Act Program; and providing for the payment thereof."

Which was read.

Also,

Bill No. 474

A Resolution entitled, "Resolution providing for the issuance of a \$815.52 warrant in favor of George Cherry in settlement of claim for property damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 475

A Resolution entitled, "Resolution providing for the issuance of a \$2,018.46 warrant in favor of Rose Marie Snead, in settlement of claim for property damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 476

A Resolution entitled, "Resolution providing for the issuance of a \$982.79 warrant in favor of Gelco Corporation and Automatic Data Processing, Inc. in settlement of claim for vehicle damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 477

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an Educational Institution or Educational Institutions in connection with participating in a Work-Study Program to help students integrate their educational program with work experience, and also providing clerical assistance to the Department of Personnel and Civil Service Commission; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 478

A Resolution entitled, "Resolution Repealing Resolution No. 1211, approved December 18, 1985, effective December 27, 1985, entitled: 'Providing for the

extension of Public Official Name Schedule Bond No. Ex 540-850 issued by American States Insurance Company through James L. Smith Insurance Agency for the one year period beginning January 1, 1986 and ending December 31, 1986 and providing for the payment of costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 573

Report of the Committee on Planning, Housing and Development for March 26, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 484

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 22nd Ward of the City of Pittsburgh owned by Council of Three Rivers American Indian Center, Inc. and designated as Block and Lot 23-L-236 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 574

Report of the Committee on Public Safety for March 26, 1986 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 485

An Ordinance entitled, "An Ordinance amending the BOCA Basic/National Existing Structures Code by requiring every window, other than a fixed window, shall be capable of being easily opened and shall be held in position by window hardware. Windows above the third story capable of being opened without the use of keys or tools and with sills less than 30" above the inside floor shall have guards meeting the requirements of the BOCA Basic National Building Code, Section 827.0."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 575

Report of the Committee on Engineering and Construction for March 26, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 464

A Resolution entitled, "Resolution further amending Resolution No. 815, effective August 17, 1982, as amended by Resolution No. 646, effective August 1, 1983, as amended by Resolution No. 57, effective February 16, 1984, as amended by Resolution No. 1261, effective December 31, 1985, entitled: 'Providing for a Contract or Contracts for the Reconstruction of the Stadium Street Retaining Wall from Radcliffe Street to Stafford Street, including necessary work on private property and other work incidental thereto; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$10,950.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods

Mr. O'Malley (Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. O'Malley presents

No. 576 WHEREAS, as in previous years the Reagan Administration budget proposals continues to assault federal housing and community development programs; and

WHEREAS, in addition to last year's Community Development Block Grant funds reduction of 15%, the Reagan Administration proposes to defer another \$500 million dollars of FY (Fiscal Year) 1986 appropriated funds, which if not disapproved by Congress would mean an overall reduction in excess of 30 percent from the FY 1985 levels; and

WHEREAS, because of this proposed deferral, the Mayor's Capital Budget Committee has cut our project funding an additional 15%, bringing the expected amount of 1986 CDBG Funds to 13.9 million, a loss of 2.5 million dollars; and

WHEREAS, the CDBG Program works in an innovative and effective way to create jobs, stimulate home ownership, and improve the standard of living in our communities; and

WHEREAS, on April 15, 1986, Congress will vote on HR 4380, which is a supplemental appropriations bill containing an amendment to disapprove the \$500 million CDBG deferral and would restore our funding level to 16.4

million dollars.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh strongly opposes the Reagan Administration's deferrals, rescissions and budget cuts for housing and community development and hereby urges the United States Congress to support HR 4380, which would disapprove the deferral of 500 million dollars in CD funds and preserve effective community development programs in our nation's cities.

Mr. O'Malley moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Wagner:

Mr. President, I'd just like to make a comment and have an inquiry from Council to the Planning Department.

About a month ago an article appeared in the paper and I just got around to bringing it up in front of Council. It's about expansion of the Convention Center to the southerly side of the Convention Center where the PNB Office Building is located and also where the Trailway Bus Building is located.

The Planning Department has made a proposal to build a hotel in place of the PNB Building which houses several hundred or possibly one thousand workers in that building. Where this plan came from, I don't know; it's the first time I ever heard about it. But I would like to see a letter sent to the Director of City Planning and would like to know if PNB and all the workers that are in that building had made a commitment to relocate to some other location in the City prior to this suggestion. I certainly

don't think that we should be proposing the relocation of buildings unless there's been a commitment to keep those jobs in Pittsburgh and my fear is that that has not yet been done. So, I would like to know formally in a letter if it has been done.

The Chair:

You want that letter sent from you, Mr. Wagner?

Mr. Wagner:

Yes, please.

The Chair:

Okay.

Mr. DePasquale moved to excuse Mr. Givens and Michelle Madoff for absence from the meeting.

Mrs. Masloff seconded the motion.

Which motion prevailed.

And on the motion of **Mr. DePasquale**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX | Monday, April 7, 1986

No. 14

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, April 7, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

ABSENT:

Mr. Givens

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

We have some people waiting here today so we're going to deviate from our regular order of business.

Mrs. Masloff presents

No. 610 WHEREAS, on Saturday evening, April 12, 1986, the 1935 graduating class of Taylor Allderdice High School will hold a special "50th-plus-1" reunion to help celebrate Pittsburgh's number one rating as the most livable city in the nation; and

BECAUSE Mr. Taylor Allderdice was one of the original appointees to the Pittsburgh Board of Education when it was formed in 1911, serving as Vice President for eleven years, and was subsequently honored in 1927 with the naming of this school after him; and,

SINCE Taylor Allderdice High School has maintained a reputation as being one of the highest achieving scholastic schools in the Commonwealth of Pennsylvania while graduating more than 50,000 students since the first class graduated in 1930 and as recently as 1982, was cited by the Ford Foundation as one of the nation's outstanding public schools; and,

WHEREAS, Allderdice also boasts an outstanding athletic program with a full range of interscholastic competition for the boys and girls of the Squirrel Hill, Greenfield, Lincoln Place, Lemington, Regent Square, Swisshelm Park, Point Breeze and East Hills communities of our

City.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby congratulates the 1935 graduates of Taylor Allderdice High School for upholding the tradition of leadership, excellence and responsible citizenship so indicative of this public school;

AND, BE IT FUTHER RESOLVED, that the Mayor and the Council wishes the class of 1935 joy in their reunion and continued success in all of their endeavors.

Mrs. Masloff moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. O'Malley:

I'd like to have Bob Coll come up, please. This is an honor for me; I wanted to be the one to honor Mr. Coll because I had the opportunity to work with him for the past six year as Chairman of Public Safety.

Mr. O'Malley presents

No. 611 WHEREAS, Superintendent Robert Coll has given twenty-six years of dedicated service to the City of Pittsburgh; and

WHEREAS, as a member of the Vice Detective Squad, he received numerous awards for superior police work; and

WHEREAS, Superintendent Robert Coll has led the Pittsburgh Police force with courage, determination and distinction for the past eleven years; and

WHEREAS, under his command; the Pittsburgh Police have successfully lowered the rate of crime in the City, making our neighborhoods safer for all citizens; and

WHEREAS, Superintendent Coll dramatically increased the faith of the citizens of Pittsburgh in their police officers; and

WHEREAS, Superintendent Coll has provided top-flight protection for the City of Pittsburgh in the face of severe competition for public dollars; and

WHEREAS, the fruits of Superintendent Robert Coll's work are certainly one of the reasons Pittsburgh was named the Most Livable City in the Nation.

NOW THEREFORE, BE IT RESOLVED that the Mayor and the City Council of the City of Pittsburgh do hereby thank Superintendent Robert Coll for his tireless service to the City of Pittsburgh and wish him well in his future endeavors.

Mr. O'Malley moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. O'Malley:

I'd like to say that Bob's professionalism is outstanding. In the six years that I've worked with him, the citizens of the City of Pittsburgh are much better off with Bob Coll having been the Superintendent of Police.

I personally would like to wish Bob and his family all the best and if there's anything I can do to help you from this time on, I'm certainly available.

Michelle Madoff:

I do want to apologize, Bob, you did tickle my foot. I had surgery so I want everybody to know that I am not treating this room in an undignified manner but, in order to be here, my foot must be elevated. And there's nobody to after to arrest because I did it myself.

I do want to say that I have had many, many dealings with Mr. Coll in the eight years I've been here. He's one of the finest employees we've ever had. I personally am going to miss him tremendously. I think it's unfortunate that he's leaving us but I think he's going on to, I believe, bigger and better things for himself. It's his decision.

The thing that I do want to point out is that the opportunities available to Mr. Norton, who I respect enormously and voted for, were never available to Mr. Coll. Mr. Coll couldn't do studies. Mr. Coll offered the service that we as Councilmembers offer and that is of scapegoating. He had to go along. If you're going to be an employee of the Administration, you're loyal. Mr. Coll would come here and whatever the Administration said about the number of Police, he just shifted people around.

I don't ever want any taint of our going after, and I believe we honestly need more police officers, to ever reflect on Mr. Coll because I think he did a job above and beyond the call of duty and I personally thank him.

Mr. Wagner:

Mr. Coll, I'd like to say publicly what I said to you privately on Friday when I found out that you were leaving and you had made a public notice that you were, that I have thoroughly enjoyed working with you, meaning prior to having the Chairmanship of Public Safety

and after the Chairmanship. I know we've spent days out in the field going around to precincts, meeting different officers and you have certainly helped to educate me in the area of police work.

I don't think the public realizes how difficult that job is, to run a police department, well, previously a police department, now a police bureau. It's probably the most controversial of all departments in the City. We all know that since you've been the Chief, past Director and Chief, that there have been no major scandals of any type in the Police Department under your direction and that in itself says something. I think the public is well aware that organized crime does not have any footholds in this City and I think that all directly relates to your leadership and your ability over the years and many of the other things that you've done to the City. You've done Block Watch to the City back in '75; I think that's commendable. I think in general you've done an excellent job and I appreciate it personally and I'm sure the citizens do also.

The Chair:

Bob, there's not much I can add but my five years on Council you've really helped me and I think the City is losing by you leaving.

Michelle Madoff:

May I say one last thing? Promise that you won't leave the City, that we can call on you if we need you.

Superintendent Coll:

I certainly won't leave the City. I'm a resident of the City, I hope to remain a resident of the City. I love the Police Force and I wish nothing but the best for the City and the Police Force and I hope they succeed in everything

they're trying to do to make a better service to the public.

I know over the years we all grow in our jobs. Periodically you get tired as being Chief so long but, as I mentioned before, probably you are a better Chief when you leave than when you first took over because you certainly should learn from your mistakes and I have learned from my mistakes. I know I have had disagreements with Councilpersons from time to time but I hope — Reasonable men can disagree. I certainly have never held animosity towards any Councilperson.

I appreciate your remarks; I appreciate the remarks Councilman Wagner made in the papers. Leaving is difficult, it's painful, and these kind remarks and this gesture makes it less painful and I hope to be around whenever you may, by some chance, need an opinion from Bob Coll. I'll be here.

The Chair:

Thank you very much, Bob.

Mr. Pollock:

Would Mary Lou and anyone who wants to come with you, the whole staff or people from the neighborhoods want to come up?

It gives me great pleasure to read this resolution which I am presenting to you now, Mary Lou.

Mr. Pollock and Mr. Wagner present

No. 612 WHEREAS, the City of Pittsburgh is known as the City of Neighborhoods; and

WHEREAS, the City of Pittsburgh has earned this distinction not simply because of the variety of neighborhoods it

has, but because of the neighborhood spirit and community pride that is uniquely its own; and

WHEREAS, NeighborFair is a Celebration of Pittsburgh's Neighborhoods; and

WHEREAS, NeighborFair has grown to be the City's foremost event promoting Pittsburgh's livability; and

WHEREAS, the City of Pittsburgh is the premier marketplace for the home and garden industry in our region; and

WHEREAS, this year The Home and Garden Show celebrated its fifth anniversary in our city and was the largest and most successful such event in North America;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Pittsburgh recognizes and congratulates Mary Lou Daniel, Coordinator of Neighborhoods for Living Center and NeighborFair and John DeSantis, Executive Director of the Home and Garden Show and their staffs for the tremendous effort they put forth in making these two events the great successes they were.

Mr. Pollock moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Pollock:

Before Mary Lou comes up, I'd like to say by way of personal comment that I have been to each and every of the five NeighborFairs and have enjoyed them more each year. I think the number of communities that have participated have grown each year as well; I think there

were 46 this year.

People have said to me, "Do you really go to NeighborFair, do you enjoy it?" I would like to say that I do go and what I enjoy about it most is that each community that puts together its own booth, has ten days or two weeks out of the year that they can really hold their heads proud and show what their community has done, to what it's grown, what they're offering the people of the City of Pittsburgh and people moving into the region where to live, and it's just a place where the whole City of Pittsburgh can bask in the glory of being the most livable city.

I'd like to recognize for those that can't see by the cameras that there are significant numbers of the neighborhood residents here. They didn't want to come up but I can see that West End-Elliot is here, Mexican War Streets, Knoxville. So, they're proud of what's happening; I didn't even know that they knew about this presentation today but you should all be proud as well, all the communities that put so much time and voluntary work into this.

So, it gives me great pride to present this to you and also to John DeSantis. And at the risk of alienating about 77 other neighborhoods, I have my Bloomfield painters cap which I bought that day which I'm also going to give to you.

Mr. Wagner:

I would just like to echo what my colleague had to say that that really was the most fantastic NeighborFair and Home and Garden Show that I have ever seen. I was so impressed that I went three times and I could have gone three more times.

I congratulate Mary Lou, John,

your staffs, all the people, all the neighborhoods that were involved and it truly was reflective of what Pittsburgh's all about.

Thank you.

Michelle Madoff:

I would like to tell a story about Mary Lou Daniels. Mary Lou Daniels was directly responsible for my being on City Council. You may want to take the award back now. I had just give 9000 bumper stickers that said GASP Michelle Madoff for City Council to Pa Pit.

Mary Lou Daniels had called me and we had talked about the fact that it was an off-year election because of the new Home Rule Charter and she had applied to the appointed nine who were appointed to select a candidate in an off-year election under the Home Rule Charter to run for City Council. She called these representatives and everyone told her, "You are the most eminently qualified candidate for City Council but you have only one problem" and she said, "What is that problem?" They said, "You're female."

So, Mary Lou Daniels did not run that year but I got angry and I ran. I got 14,000 signatures to get on the ballot. But Mary Lou Daniels ran in a subsequent year and did not win and was removed from her job doing an outstanding job and very much the same kind of work she's doing now, absolutely an outstanding employee, because they said she violated the Hatch Act where other people who ran were not removed from their jobs.

I think this is a very fitting time and at least someone is recognizing the kind of work that Mary Lou has done for this City. I thought it was important to give a little history, Mary Lou. I am just really thrilled that someone is honoring

you.

Ms. Daniels:

I don't want to allow this to sound like I was the only one that did it so I would like to take a few minutes to recognize the folks that are here, particularly the NeighborFair Advisory Committee who helped us plan this year's NeighborFair. Some of them are here and if you're here, please stand. Ed Ackerman from West End-Elliott; Felix Cocco from Bloomfield; Valerie Dreger from Perry Hilltop; Joyce Kozera from Lawrenceville and the Urban Redevelopment Authority; Beatrice Mahaffey from the Hill District; Pat Stewart from Brighton Heights; Dolly Campbell from Point Breeze and the Mayor's Service Center; Tom Coppola from Knoxville; Colette Hucko from Mount Washington and Mellon Bank; Marge Lubawy from Brookline; Bob Murphy from Shadyside and the Department of General Services; and Randy Zotter from the Mexican War Streets.

I'd also like to recognize the people on the NeighborFair team that are my staff and the staff from the Mayor's Office and Mellon Bank that helped plan this every year and that's Donna Chapman Chernoff from the Neighborhoods for Living Center; Beth Marcello from the Neighborhoods for Living Center; Mina Gerall from the Mayor's Office; Mary Zubrow from Mellon Bank; and Sally Mizerak from Action Housing; and Betsy Fitzpatrick who was a summer intern, a part-time intern in our office for NeighborFair.

Those people really helped make NeighborFair and the representatives of 46 neighborhoods that took part as well as 18 City departments and 5 or 6 non-profit agencies including the Board of Education, Neighborhood Housing

Services, and a number of others that I can't list.

Just a little background, NeighborFair now has three children. Cincinnati, Ohio just held their first NeighborFair, Roanoke, Virginia held their first NeighborFair in September, and Cleveland, Ohio held their second NeighborFair. All three were patterned after the Pittsburgh show. All those folks came in here to Pittsburgh to learn about the show and went back and imitated it.

We have more than 2000 volunteers during the 10 days of the show; they volunteer more than 1400 hours. This does not count the time in the neighborhoods that they take before the show opens; this is only the 10 days of the show. The value of time donated is close to \$75,000. Incurring services donated by major corporations in the City to the show is over \$200,000. We raised private cash donations over \$40,000. The neighborhoods themselves raised over \$46,000 for their part of the show.

I can't take the credit for that. The folks sitting back there and the neighborhood representatives from the 46 neighborhoods from this City have to take the credit for that. That's why it's the best show in the City, that's why everybody is so proud of it.

Thank you very, very much for honoring us.

Mr. DePasquale presented

No. 577 Resolution providing for the issuance of a warrant in favor of Carl J. Bonidie, Inc. (Carl J. Bonidie, President) in the amount of \$4,877.10 in payment of Extra Work, being in addition to the original contract price of \$48,375.00 on Controller's Contract No.

27219, furnished for the benefit of the City in connection with the Rehabilitation of Fire Station No. 7, 16, and 36, payable from Code Account LB 84-01. (PRIOR APPROVAL GRANTED)

Also,

No. 578 Resolution providing for the issuance of a warrant in favor of Pugliano Construction Company (Angelo Pugliano, Partner) in the amount of \$355.00 in payment of Extra Work, being in addition to the original contract price of \$739,000.00 on Controller's Contract No. 27222, furnished for the benefit of the City in connection with the Building General Contract for Construction of Phase 4.1: Plaza work at the Pittsburgh Zoo, payable from Code Account PR 81-02. (PRIOR APPROVAL GRANTED)

Also,

No. 579 Resolution providing for the issuance of a warrant in favor of Conn Construction Company (Converse Branscome, Jr., President) in the amount of \$22,144.50 in payment of Extra Work, being in addition to the original contract price of \$2,536,174.03 on Controller's Contract No. 27563, furnished for the benefit of the City in connection with the Reconstruction of the Pennsylvania Avenue Roadway and Bridge, payable from the Pennsylvania Avenue Bridge Trust Fund. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Also,

No. 580 Resolution Repealing Res. No. 876, effective September 1, 1982, amended by Res. No. 456, effective June 24, 1983, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants for

Professional Engineering Services in connection with the Reconstruction of Arlington Avenue, at a cost not to exceed \$9,500.00, chargeable to and payable from Code Account PW 83-05," is hereby repealed in its entirety. The design of this project was originally to be done in-house, with Mackin Engineering Company providing field data support. The design will now be done by a Consultant.

Which was read and referred to the Committee on Public Works.

Also,

No. 581 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Design and Construction Inspection Services in connection with Reconstruction of Arlington Avenue from East Carson Street to East Warrington Avenue at a cost not to exceed \$1,300,000.00, chargeable to and payable from EC 83-05.

Also,

No. 582 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting permission for Paul McDermott to attend the Automated Mapping/Facilities Management Eastern Regional Conference in Williamsburg, Virginia from May 4-8, 1986 at a cost not to exceed \$1,250.00, payable from Code Account 1482. Use of a City vehicle is also requested.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Grabowski for Mr. Givens presented

No. 583 Communication from Louise Gaetano, Director, Department of

Public Works, requesting permission for Donna Spicer to attend Sony Corporation's "Type V U-Matic" Video Recorders Technical Training Course in Ft. Lauderdale, Florida from May 19-23, 1986 at a cost not to exceed \$1,390.00, payable from Community Communications Trust Fund.

Also,

No. 584 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for David Beasley to attend Sony Corporation's "Type V U-Matic" Video Recorders Technical Training Course in Park Ridge, New Jersey from June 9-13, 1986 at a cost not to exceed \$1,195.00, payable from the Community Communications Trust Fund.

Also,

No. 585 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Ellen Clair to attend a Managing Multiple Priorities Seminar at the William Penn Hotel on May 16, 1986 at a cost not to exceed \$110.00, payable from the Community Communications Trust Fund.

Also,

No. 586 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for David Beasley and Donna Spicer to attend the Convergence Corporation's Technical Training School at RPC Electronics in Blawnox, PA from March 25-27, 1986 at a cost not to exceed \$1,400.00, payable from the Community Communications Trust Fund. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Works.

Mr. O'Malley presented

No. 587 Resolution providing for the issuance of a warrant in the amount of \$4,903.00 in favor of IBM Corporation for specially ordered items not included on the price lists of present City contracts, payable from Code Account 1045, Equipment, Bureau of Information Systems, Department of the Mayor.

Also,

No. 588 Resolution providing for the issuance of a warrant to Gondelman Baxter McVerry Smith Yatch & Trimm for legal services rendered to Robert Rade Stone in connection with Tom Flaherty, et al v. John Torquato, Jr., et al, in conjunction with Civil Action No. 85-1525, filed in the United States District Court for the Western District of Pennsylvania in the amount of \$9,750.00, chargeable to and payable from Code Account No. 1075, Miscellaneous Services, Department of Law.

Also,

No. 589 Resolution providing for a Professional Services Agreement or Agreements for the provision of computer training services at a cost not to exceed \$15,000.00 for the Bureau of Information Systems, City Information Systems, Department of Mayor, payable from Code Account No. 1043, Miscellaneous Services.

Also,

No. 590 Resolution providing for a Professional Services Agreement or Agreements for the provision of a needs assessment in connection with an automated activities tracking system for the Department of Law at a cost not to exceed \$8,000.00 for the Bureau of Information Systems, City Information

Systems, Department of Mayor, payable from Code Account No. 1043, Miscellaneous Services.

Also,

No. 591 Resolution amending Res. No. 150 approved February 26, 1986 and effective March 3, 1986 entitled: "Providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act, . . . and providing for the deposit of funds into a bank account," by increasing the aggregate amount from \$1,456,000.00 to \$2,200,000.00, chargeable to and payable from the JTPA-2 Trust Fund, federal funds.

Also,

No. 592 Resolution authorizing the transfer of \$2,275.00 from the JTPA-2 Trust Fund, federal funds to the General Fund of the City of Pittsburgh to partially reimburse the City for its payment for damages to vans used during the 1984 JTPA Summer Youth Program.

Also,

No. 593 Communication from Richard S. Caliguiri, Mayor, requesting permission for David Donahoe to attend legislative meetings in Harrisburg, PA on April 22, 1986 at a cost not to exceed \$350.00, payable from Code Account 1017.

Also,

No. 594 Communication from Richard S. Caliguiri, Mayor, requesting permission for James E. Simms to attend a Hands Across America meeting in Washington, D.C. on April 15, 1986 at a cost not to exceed \$350.00, payable from Code Account No. 1017.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 595 Resolution providing for an Agreement or Agreements for Professional Auditing Services in connection with the 1984 through 1986 Community Development Block Grant Program and the Community Development Block Grant Program's Third Party Contracts at a cost not to exceed \$50,000.00, chargeable to and payable from the 1985 Community Development Block Grant Program, Department of City Planning, Administrative Account (CDPA), (CP-85-01).

Also,

No. 596 Resolution authorizing the Mayor and the Director of the Department of City Planning to enter into an Inter-governmental Co-Operation Agreement or Agreements with the Steel Valley Authority for various administrative items at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account 1103, Miscellaneous Services.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 597 Resolution transferring \$15,000.00 from Code Account 1475, Salaries and Wages, Regular and Temporary Employees, Department of Public Safety, Bureau of Building Inspection to Code Account 1475-1, Premium Pay, Department of Public Safety, Bureau of Building Inspection. One of the reasons that the Premium Pay account ran out of funds was because of the collapse on Bryn Mawr Road which

caused many hours of overtime for the Bureau of Building Inspection.

Which was read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Also,

No. 598 An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article VII - Parking, Chapter 541 - General Parking Regulations, Section 541.01 - Prohibition in specified places by clarifying the prohibited parking space at a transit stop. Section 541.01 (a) (12) is hereby amended to read as follows: "Within fifteen (15) feet of a transit stop sign."

Also,

No. 599 Communication from John Norton, Director, Department of Public Safety, requesting permission for Richard DeNinno to attend the National Fire Protection Association Workshop in New Orleans, Louisiana on September 29-30, 1986 at a cost not to exceed \$1,100.00, payable from the Department of Public Safety, Bureau of Fire, Code Account (DPSTPP).

Which were read and referred to the Committee on Public Safety.

Also,

No. 600 Communication from John Norton, Director, Department of Public

Safety, requesting permission for John Moran and John Harpur to attend the National Fire Academy at Emmittsburg, Maryland from April 21 through May 2, 1986 for the Fire Executive Development III Conference at a cost not to exceed \$275.00, payable from the Department of Public Safety, Bureau of Fire, Code Account (DPSTPP).

Which was read and referred to the Committee on Finance.

The Chair presented

No. 601 An Ordinance amending and supplementing Title One-Administrative, Article XI, Chapter 180, Personnel Administration of the Pittsburgh Code, by supplementing Section 180.05 subsection (c) by adding a new subsection (c) (1) requiring drug testing for all new City employees. —
(SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on Finance.

Also,

No. 602 Resolution providing for an Agreement or Agreements with a consultant for professional services in connection with the establishment of an Office of Professional Responsibility within the Department of Public Safety, including but not limited to the development and implementation of policies and procedures in the areas of pre-employment screening and evaluation, investigation and resolution of complaints against employees of the Department originating from all internal and external sources, and effective police command transition and coordination, at a cost not to exceed \$26,000.00, chargeable to and payable from the Department of Public Safety Third Party Payor Trust Fund (DPSTPTF).

Which was read and referred to the Committee on Public Safety.

Also,

No. 603 Communication from Richard S. Caliguiri, Mayor, informing Council of the appointment of David L. Donahoe as a member of the Equipment Leasing Authority pursuant to Resolution 652 of 1980.

Which was read, received and filed.

Michelle Madoff:

I have a problem with that one. Mr. Donahoe is one of my favorite people in the world so I have no objection to his being on the Leasing Authority. As you know, I was appointed to the Leasing Authority; in eight years it's the first time I've been appointed to any commission or authority. I'm probably the only Councilmember in the history of Pittsburgh that was never appointed to anything until this appointment and my appointment runs out at the end of this year, so it's a real long appointment.

But I understand that we must be sworn in. I have not been sworn in. I've been sworn at but I wonder what is happening with this appointment. How can he be appointed, for what term? Do we vote on it?

The Chair:

No. This is just received and filed. The Mayor has proposed to do all appointments. He's just notifying us.

Michelle Madoff:

This is not one that we vote on.

The Chair:

Right.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 604

Report of the Committee on Finance for April 2, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 496

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Tony Baiano Construction (Anthony Baiano, President) in the amount of \$3,685.00 in payment of Extra Work being in addition to the original contract price of \$108,520.00 on Controller's Contract No. 27854-F, furnished for the benefit of the City in connection with the Reconstruction of Norte Way Wall; and providing for the payment thereof."

Which was read.

Michelle Madoff:

I'm going to abstain on 496 because I do not know, as I've stated previously, if there is any reason why the Chairman might, as he has for 8 or 12 years, abstain from voting, whether this is one that would come under that category.

I would like to request from Mike Perry, please, so I don't do anything behind anybody's back, a list of the corporations and principles in the 12 years that Mr. DePasquale abstained from —

The Chair:

Ms. Madoff, you are out of order.
We are talking about this bill.

Michelle Madoff:

I'm discussing the bill.

The Chair:

You are out of order.

Michelle Madoff:

I'm not out of order, Mr. Chairman,
but I will yield.

The Chair:

Is there any further discussion on
the bill?

And on the question, "Shall the bill
pass finally?"

The ayes and noes were taken
agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mr. O'Malley	Mr. Woods
	(Pres't)

AYES 6 NOES none

(MICHELLE MADOFF ABSTAINING)

And there being two-thirds of the
votes of Council in the affirmative, the
bill passed finally.

Also,

Bill No. 507

A Resolution entitled, "Resolution
providing for the issuance of a warrant in

favor of Metro Equipment Repair
Company in the amount of \$994.50 in
payment for repairs to two generators
and two pumps furnished for the benefit
of the City of Pittsburgh, and providing
for the payment thereof."

Which was read.

Also,

Bill No. 508

A Resolution entitled, "Resolution
providing for the issuance of a warrant in
favor of Perkin-Elmer Corporation,
CitiBank Del, Box 7247-9000,
Philadelphia, PA 19170-9000 in the
amount of \$558.00 for repair to Atomic
Absorption Spectrophotometer utilized in
the Water Treatment Plant Laboratory
and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills
pass finally?"

The ayes and noes were taken
agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And there being two-thirds of the
votes of Council in the affirmative, the
bills passed finally.

Mr. DePasquale for Mr. Givens presented

Bill No. 605

Report of the Committee on Public Works for April 2, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 501

A Resolution entitled, "Resolution granting unto the University of Pittsburgh, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Pedestrian Bridge over on a portion of the Terrace Street and Sutherland Drive in the 4th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 502

A Resolution entitled, "Resolution accepting the dedication of property on the Southern side of Liberty Avenue, along Liberty Avenue near Grant Street, for widening and public purposes, in the 2nd Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 503

A Resolution entitled, "Resolution accepting the dedication of property along Liberty Avenue near Grant Street for street widening and other public purposes, in the 2nd Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 504

A Resolution entitled, "Resolution vacating Elwell Way from Keefe Street to point on centerline 135.92 feet easterly in the 31st Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 505

A Resolution entitled, "Resolution vacating Congress Street from Fifth Avenue to its northwesterly terminus (170±) in the 3rd Ward, City of Pittsburgh, excepting and reserving easements for the existing water and sewer lines."

Which was read.

Also,

Bill No. 529

A Resolution entitled, "Resolution granting unto the University of Pittsburgh, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Steam Line under a portion of the right-of-way of Bellefield Avenue in the 4th Ward of the City of Pittsburgh."

Which was read.

Mr. DePasquale:

I have no objection to Bill 529 but it seems to me that the last few weeks they've been putting that steam line in and today they're asking permission to do it. Did we give a prior permission on it?

The Chair:

I think there was prior approval granted on that.

Mr. DePasquale:

Okay.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 606

Report of the Committee on Planning, Housing and Development for April 2, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 57

A Resolution entitled, "Resolution providing for the designation of the Howe-Childs-Gateway House as an Historic Structure under the provisions of Section 513 of Chapter 1007 of the Pittsburgh Code of Ordinances." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 515

A Resolution entitled, "Resolution amending Resolution No. 1283, entitled: 'Adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986-1991 Capital Improvement Program', by changing two code accounts, one project title, and adjusting a clerical error for the cost of a prior year funded project."

Which was read.

Also,

Bill No. 516

A Resolution entitled, "Resolution amending Resolution No. 1439 of 1981, as amended by Resolution Nos. 408 and 1144 of 1982, by Resolution No. 933 of 1983, and by Resolution No. 102 of 1986, entitled: 'Approving the submission and budget for the 1982 Community Development Block Grant Budget', by deleting a line item and adding the 'Site Improvements for Housing Development in Homewood' line item in the URA."

Which was read.

Also,

Bill No. 517

A Resolution entitled, "Resolution amending Section 11 of Res. No. 1267 of 1977, as previously amended by Resolution Nos. 483, 829, 999 and 1563 of 1978; by Resolution Nos. 252, 308, 590 and 706 of 1979; by Resolution Nos. 352, 448 and 1191 of 1980; by Resolution Nos. 560, 888 and 1363 of 1981; by Resolution Nos. 418 and 911 of 1982; and by Resolution No. 98 of 1986 entitled: 'Providing for the filing of an application by the City with the U.S. Department of Housing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program', by decreasing a line item and adding the 'Site Improvements for Housing Development in Homewood' line item in URA."

Which was read.

Also,

Bill No. 518

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the St. Clair Citizen's Council for professional services at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account No. 1103, Miscellaneous Services, Department of City Planning." —
(SPONSORED BY MR. WOODS)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 607

Report of the Committee on General Services for April 2, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 506

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the furnishing and delivery of: refuse containers for the Department of Environmental Services, Code Account 1175, Index No. 117507, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 608

Report of the Committee on Parks and Recreation for April 2, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 512

A Resolution entitled, "Resolution amending Resolution No. 53, effective February 12, 1986, entitled: 'Providing for an Agreement or Agreements with the Civic Light Opera for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, and providing for the payment of the cost which is not to exceed \$20,000.00 and is chargeable to and payable from Code Account 1838 (183806) Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation,' by increasing the authorized amount from \$20,000.00 to \$25,000.00." —

(SPONSORED BY MRS. MASLOFF)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 609

Report of the Committee on Engineering and Construction for April 2, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 497

A Resolution entitled, "Resolution amending Resolution No. 771, effective August 23, 1985, entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants for the Removal and Disposal of Hazardous and Industrial Wastes encountered during the excavation of Pier 4 of the Bloomfield Bridge Project; and providing for the payment of the costs thereof,' and

increasing the total project allocations by \$12,000.00."

Which was read.

Also,

Bill No. 498

A Resolution entitled, "Resolution further amending Resolution No. 319, effective April 10, 1985, as amended by Resolution No. 1081, effective December 4, 1985, as amended by Resolution No. 122, effective February 24, 1986, entitled: 'Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants, to perform professional services on various City Facilities on an "as-needed" basis, in response to the Capital Budget Program; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$136,301.50."

Which was read.

Also,

Bill No. 499

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for Construction in connection with the Renovation of Various Park Facilities; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 500

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation at the Pittsburgh Zoo, including the North American Paddocks; and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

Mr. President, on Bill 500, as you know, for years I voted no on anything for the Zoo because we had talked about having a fee for service charge for non-City residents. Last year it was promised that by this year we would have a fee for service structure in place for the City taxpayers who were picking up the deficits by virtue of debt service for the Zoo, the Aviary and the Conservatory. The debt service, so people have some idea, is something like \$4000 for three years, that we shouldn't be paying.

I have not seen the amendment, the change made. If there's a will to do it, we can do it. There is a fee when you go to the Wave Pools in the suburbs. There

is a system of people coming from the suburbs to use our tennis courts; they have fake identification cards. It would be relatively simple to have non-City residents pay a slightly higher fee than City residents.

On the basis of that, as a protest, I must vote no on Bill 500, and may I please have a letter to Louise Brown go out asking what the status is on the bill.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mr. O'Malley	Mr. Woods
	(Pres't)

AYES 6 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 526

A Resolution entitled, "Resolution further amending Resolution No. 750, effective September 6, 1983, as amended by Resolution No. 1006, effective November 30, 1983, as amended by Resolution No. 478, effective May 21, 1985, as amended by Resolution No. 903, effective October 3 1985, entitled:

'Providing for a Contract or Contracts for the Construction of Walls at various locations, including but not limited to the following: Wick Street, Holt Street, Monroe Street, St. Martin Street, Goettman Street and Blessing Street; providing or an Agreement or Agreements, or Supplemental Agreement or Agreements with Pittsburgh International Engineering Inc. for Engineering Services in connection with the Design of the Reconstruction of the Blessing Street Wall; and providing for the payment of the costs thereof,' by amending Section 3 to read the correct aggregate amount of this Resolution."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Wagner presents

No. 613 WHEREAS, the City of Pittsburgh now has fueling stations for all city vehicles, including public safety

emergency vehicles located at 29th Street in the Strip District. This one fueling station is not geographically in a desirable location for emergency vehicles; and

WHEREAS, excessive time is lost with emergency vehicles having to travel excessive distance to refuel. In addition, other factors such as wear and tear on the vehicles, the use of gasoline to get from various points throughout the city to the present fueling location and the fact that many of our personnel aren't within their respective districts during the time that it takes to refuel these vehicles; and

WHEREAS, in addition, the public safety vehicles are out of their respective districts, therefore creating a void in the availability of service within that particular district; and

WHEREAS, it is estimated that the average time that each vehicle is out of service within that district is approximately 30 minutes.

NOW THEREFORE, BE IT RESOLVED, that the Members of Pittsburgh City Council do hereby recommend that a minimum of five (5) fueling stations be established throughout the City of Pittsburgh in a desirable, geographical location so that emergency vehicles will remain available to serve the public.

Mr. Wagner moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Mr. Wagner:

Mr. President, I'd like to take a moment to point something out.

We have here a map of the City of

Pittsburgh and, as everyone can see, we have one fueling location throughout the City. It's at 29th Street in the Strip District. This fueling location is utilized by all City vehicles, not only emergency vehicles, Police, Fire, EMS, but Refuse, Public Works, Parks, Administration, etc.

All vehicles throughout the City operating are here on a daily basis. There are a couple of exceptions; I believe those exceptions are fire trucks and I believe in some instances, refuse trucks.

This map also indicates the nine Police districts throughout the City. The resolution in front of us pertains to specifically emergency vehicles, meaning all Police cars, vans, motorcycles, EMS vans and cars, and jeeps that they utilize, and squad cars and fire trucks. As you can see, at several locations in the City it's very difficult while these vehicles are in service to get refueled without reducing the emergency service in that particular district. At some extreme ends of the City such as Lincoln Place, the distance is approximately 7.5 miles from point to point. The time that it takes for an emergency vehicle to go from here to here and back can be as long as an hour depending on traffic. There are not emergency vehicles replacing these vehicles when they're out of commission.

In addition to the average distance, the average distance is approximately three miles from any point. Other areas are also quite far, Homewood-Brushton, Brighton Heights, Overbrook, Esplan. Depending on the time of day and the traffic, it can even be very difficult to get from West End to 29th Street and back and be back in service in their respective district. Now, it's not to say that the emergency vehicles are out of service. They are not out of service but they are, to a great degree, out of

service in their respective district if they are assigned to No. 8 and they're in the Strip District, if they're assigned to No. 5 and they're in the Strip District. This can cause a problem in response of emergency vehicles through the 911 system.

What this resolution is suggesting is that we provide at least five locations geographically suitable throughout the City of Pittsburgh specifically for emergency vehicles. We have at least at any time during the day 100 emergency vehicles that need fueled. Those emergency vehicles need fueled at least twice a day. The Police cars are running 24 hours a day, many times more than that. The emergency vans also need fueled twice a day; they are constantly in operation.

Therefore, what this resolution is suggesting is that if we provide at least five fueling locations, one on the North Side, one somewhere in the West End, one in the South Hills, one in the East End, and one possibly in the Morningside area, we would have fueling locations in desirable geographical spots throughout the City that would reduce the response time of police cars, fire squad vehicles, and also EMS vehicles. In addition to reducing response time, what it could also do is actually reduce the amount of gasoline that is needed. Obviously to get from Brighton Heights to the Strip District, it takes gasoline to get from this point to this point and back again. So, we may be able to reduce the consumption of gasoline by placing a fueling location somewhere in the Northside.

Other possible benefits are the reduction in wear and tear on the vehicle that has to travel this distance that is involved in traffic. It can I think certainly have an impact in that area and in general, I think there can be a

financial savings.

But the number one reason why I would like to see Council support this resolution is that the response time of the emergency vehicles is so important and we must keep those emergency in their respective districts. We constantly hear about us not having enough people in terms of police officers, fire fighters, and EMS people. Well, we can actually improve the numbers of people in their respective districts, probably by one-twentieth, if we were to put fueling locations in the right spots around the City.

So, I would strongly suggest that we make a suggestion to the Administration that they support this idea and that we move forward with these fueling locations.

Thank you.

The Chair:

Jack, I have one question and I know a couple of my colleagues do. You're not suggesting building fueling stations because there are existing gas stations and stuff like that where we could have a credit system, where we could have our vehicles refueled in a particular neighborhood, such as we do with the car wash system with some of our vehicles. That's what you're suggesting?

Mr. Wagner:

Mr. Woods, you're right on target. What I'm suggesting is that we go out to contract at 24 hour stations that are open and find four or five throughout the City where we can purchase gas at a competitive price and utilize those particular stations for emergency vehicles only.

The Chair:

That's good because then we won't have any employees to hire or anything.

Mr. Wagner:

That's right.

Mr. DePasquale:

Obviously I support the resolution but I just want to state as you did, I know in the past, Jack, that City vehicles were allowed to go to private gas stations when they ran low on fuel. Don't emergency vehicles have that same prerogative today? I realize it costs more than fueling at the City station. But if they're, say, down to a gallon or two of gas and they're going somewhere in a hurry, they're certainly allowed to go into a private station. They used to have Gulf credit cards.

Mr. Wagner:

I think there is some stipulation. What it is specifically, I don't know, but I think they can be reimbursed if they do become low, if they're out on an emergency call, and they find out that the amount of fuel in the vehicle is low and they obviously need the vehicle to respond to the next call.

However, you bring up an excellent point, when you're low on gas it can be any time during the day. It can be a time when a police vehicle is in it's greatest demand, it can be a time when traffic is at it's highest point, and you must then venture to the Strip District. You're leaving your district and you're leaving it for a considerable period of time because, obviously, you have to have fuel to be functional.

Michelle Madoff:

I think this is an excellent proposal, Mr. Wagner, particularly in light of the fact that it's just come to my attention from a number of Police Officers that in the evening some of our stations, some of our busiest and largest stations, have only got four vehicles in operation, some two, sometimes only one, because they are not out on the streets, sometimes the vehicle itself is in for service.

I would wonder whether you would consider expanding your legislation to include two items. We would be buying in bulk, obviously, from these 24 hour stations. We should get a special rate, a competitive bid. They'd be happy to get the business and be very happy to even go below the price, and today's energy costs are considerably lower than they have been. But also, I think we should offer some mechanical support during emergency times because the garages don't do it. We do not have sufficient mechanics in our City garage.

So, I would like to see you expand the bill to include that aspect that if a Police car breaks down at night, if a Paramedic vehicle is out of operation because it's happened to me personally, that you could also go in and get, maybe a flat tire or a blowout patched or something, something perhaps not of a tremendous magnitude where you would need to replace the whole chassis, but to do routine emergency maintenance as well as the fuel.

I think your idea is very, very well taken. It would be cost effective, it would give us better use of vehicles, and I would urge you to follow through as you have been on expediting the study coming to Mr. Norton on what kind of police force we're going to need because when we read in the papers that compared to the rest of the nation we're

doing so much better, it's like better than what? Lower prices than ever. Lower than what? Maybe we have 10 less rapes but there's still people getting raped and there's still people getting run over and so on. Would you consider that?

Mr. Wagner:

Yes, I would consider it. As a matter of fact, it is my understanding that for two or three cents more a gallon you can actually receive the basic services of a gasoline station, such as tire repair, windshield being cleaned, radiator service, battery checked, etc.

The problem is in the City, many of the fueling stations open 24 hours a day are not prepared to offer that service. Some are and some are not. So, yes, if it could be obtained through a contract, I certainly think that's an excellent idea and also I should add to my colleagues, I've discussed this with the various management people and union people and the Public Safety Department, and they support it.

WHICH MOTION PREVAILED.

The Chair:

Mr. Wagner, do you have another item.

Mr. Wagner:

Yes. Mr. President, I know I discussed this with you and a couple colleagues earlier and I would like to make a floor motion. I suspect it's in the form of a letter, that would be the appropriate way.

The Council of the City of Pittsburgh requests that a formal investigation be initiated by the Allegheny County Department of Elections of all campaign spending

reports for City Councilmembers for calendar year 1985.

I would also like to further suggest that we include a time frame for receiving that report from the Election Department.

The Chair:

I want the letter to go out immediately, Mr. Perry.

I need a second.

Michelle Madoff:

I'll second it if you tell me what it's going to say.

The Chair:

In essence that since there was this article in the paper on Sunday, there's a lot of cloud hanging there, we'd like the Election Bureau to come in and look at all of our campaign expenditures the proper way so that there's no misconception that anybody here did anything wrong.

Michelle Madoff:

May I make a recommendation, Mr. President, that you also include what the parameters are of the existing legislation. My understanding is that anything that you do to enhance or help you get elected does not mean you cannot spend money in an off election year.

As Judge Ellenbogen used to say, "You campaign all the time, you don't campaign at election time." And as Cyril Wecht said, "I go out and speak all the time, not at election time." You are running all the time, not just in the year that you're running.

So, I would like to have it very clearly defined what we spend out money for. For example, if I have a meeting with an aide who comes in at 8:30 in the morning, at 10:00 at night responding to a letter to the editor in the Wall Street Journal about election by district, I will put down on my slip who I met with, what the amount was for, and she's certainly entitled to have dinner and I submit a slip. And I think we need that clarified.

The Chair:

What we are asking, Mike, and we'll help you draft it, we want in this letter that they'll look at all of us, look at everything we spent, to see if we were legal by doing it, where it was grey areas, whatever. That way the cloud is lifted.

Michelle Madoff:

Excuse me, Mr. President. Your point is well taken but what I'm saying is, I don't want this to happen again. But what I'm saying is, let us have it clearly defined for our constituents, for the media, and for everybody. What are the rules? I checked on the rules and I thought I was in complete compliance with the rules. If I'm not, I want to know where I was wrong.

The Chair:

That's what we're going to do.

Mr. O'Malley:

I agree with that; I think it's a good idea. I think it was quite a detailed article that was in the Pittsburgh Press Sunday and I think all of us need some explanation from the Election Bureau. I mean I've been turning my receipts in the same way for six years and this is the first time anybody said anything. I had

an audit done of my campaign expenses this morning by a CPA firm and he indicated that he was satisfied that they came in compliance with the law.

But I think we ought to extend this to all elected officials, City elected officials. I'd also like to include the Controller in on this. He's the fiscal watchdog of the City of Pittsburgh and I think his expenses and expenditures should be as accountable as City Councilmembers.

The Chair:

I would suggest that since it was Council that appeared in the paper that we ask that Council be reviewed and I'm sure that since the article the Election Bureau will be looking at everybody else also. I think that we should just deal with ourselves.

Mr. Pollock:

I'd like a similar letter to go to the District Attorney's Office as well.

The Chair:

Fine.

Mr. Wagner:

I agree, Mr. President. I think our motion should pertain to us and to us only and if other elected officials want to solicit the same information they should do so.

I would just like to add, if it's in agreement to Council, that we request a time frame, two weeks, three weeks, because if we don't, this report could come back six months from now and I think it's something that we should move on immediately and we should request that the Elections Department do the same.

The Chair:

Let's say if we get the letter in the mail tomorrow, I'd say within 30 days. There's a lot of us to audit here.

Mr. O'Malley:

Are you saying 30 days to start it or 30 days to finish?

The Chair:

No, no, they should start immediately and have result to us within 30 days.

Michelle Madoff:

I disagree with my colleagues. I think it's inappropriate for us to single ourselves out. If the media wishes to single us out that's their prerogative. They're the guardians of the people's right to know. But the people's right to know goes beyond City Councilmembers. I think that we should request that all elected officials be audited because we are representatives of the public at large and it should not just be City Council.

The Chair:

I believe in fairness the individual that wrote that article will probably take the message and go back and do the job that he supposedly can do on the other elected officials. I think we should just deal with us.

Michelle Madoff:

I wish to amend the motion.

Mr. O'Malley:

Second for discussion. Discussion being that according to the election laws, if an audit is going to be conducted

it has to be filed and requested within 90 days which would bring it to April 30th. So, if Council can be audited, that's fine; but if it also says the Mayor or the Controller is going to be audited, that has to be requested before April 30th.

The Chair:

I'm sure that the Election Bureau will do that on their own. I mean, they've taken a little bit of heat on this thing also and I think that we should just deal on an issue like this with ourselves. We are interested in ourselves as an elected body and my own personal opinion, I will vote against the amendment.

Michelle Madoff:

With all due respect, I would ask that you keep an open mind. You are an elected official, you are the President of this Council, you have stature in this community and the public is looking to you for leadership and it would seem to me that we should not be saying we're all being painted with the same brush and that Council is being singled out. I think we should address the broader issue, not the personalities. We should say that all elected officials should be audited because I don't think that anybody has behaved any differently and I think that you should be a leader in this instance and I ask you to do that and to change your vote on it, don't be stubborn, and I would ask my colleagues to expand it to all elected officials because otherwise we look like all we're trying to do is protect our own flanks. That's my opinion.

The Chair:

And my opinion is that if we ask that all elected officials in the City of Pittsburgh then we're saying you did it to us and not to them, you're being unfair.

The article was written here; let's settle it here.

Mr. Grabowski:

Just to clarify the amendment that Michelle made, she has indicated that she would like all elected officials to be audited.

The Chair:

In the City of Pittsburgh.

Mr. Grabowski:

That's not what she said.

Michelle Madoff:

Thank you sir, I appreciate it. I mean in the City of Pittsburgh. Thank you.

Mr. DePasquale:

Whenever I filed with the Bureau of Elections, I went over before I filed and talked to the Director, whoever it was, whether it was Will Alton or Kenny Dixon or Scanlon. Anything that I thought in my mind was questionable I would ask them and if they said it was questionable or wasn't right then I would take it out or take care of the matter. Never have I been told by anybody at the Bureau of Elections that any of my expenses, as long as they were incurred in regards to my getting elected, were improper or illegal.

The public record is over there and anyone, Schmidt or anyone else who wants to go look at them can look at them. I think that should be the end of it. If they want to conduct an audit or whatever at the Bureau of Elections, that's their business. But to ask them to do it, to me, is sort of asinine.

The Chair:

I respect your opinion, Mr. DePasquale.

Now, on the amendment to include all elected City officials. Roll call vote.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski Mr. O'Malley
Michelle Madoff

AYES 3 NOES 4

VOTING NO:

Mr. DePasquale Mr. Wagner
Mr. Pollock Mr. Woods
 (Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Michelle Madoff:

Discussion on the issue. May I follow up. I don't know the rules; how do I go about getting legally, how do I go about making a request? Personally, I think they need five citizens. I'm a citizen, four people, to request an audit.

The Chair:

We are going to do that right now.

Michelle Madoff:

No, I'm talking about my defeated

motion. I wish to pursue it privately and I don't know what the ground rules are. Does anybody know?

Mr. Pollock:

Michelle raised a question of not knowing what the parameters were of the election expense law and it's not for the body of City Council to give her this. These laws are set forth in the --

Michelle Madoff:

That's not what I just asked.

Mr. Pollock:

This is what you talked about before. I'm talking about her previous question about not knowing what the parameters were for filing expense reports.

These are set forth in state statutes. If she has any questions, she could have consulted an attorney to have these statutes interpreted for her and I think that it's inappropriate for someone to file something and then afterwards not know what he or she was doing or state that she didn't know what he or she was doing.

The law is set forth; we are all given copies of it. Admittedly, it is in the form of a state statute but these can be easily interpreted by either a Legislator or other elected official or an attorney. I think that the time has come that this body start to look at exactly what its members are doing, what it feels is inappropriate activity for its own members. I think the time has come for our President to start examining some of his appointments to chairmanship of committees and reassess those appointments. And I think that it's time that this body realize that the actions and activities of any members of this

body reflect on all of us. --

The Chair:

Mark, let me interrupt you here. We are not talking about behavior of any Councilmember. We are talking about a letter that we are sending to the Election Bureau to go over all of our campaign expenditures and receipts for 1985. I'm going to hold to that and rule you out of order.

Is there anything further on that subject?

Mr. O'Malley:

I think Michelle asked a legitimate question and I think Mr. Pollock is being unnecessarily harsh.

The Chair:

I just stopped that so we're not going to continue.

Mr. O'Malley:

Well, to answer Michelle's question, you have 90 days from the time you file, January, February, and March. You have until April 30 to file by five electors in the City of Pittsburgh to file to have any elected official's campaign audited, Michelle.

The Chair:

On this subject only, this letter.

Michelle Madoff:

Mr. President, I deeply resent a friend of mine implying that I did not know about the statute nor read it. I did know about the statute and my personal interpretation with my counsel was that any monies spent in the pursuit of being re-elected was legitimate and I stated

that's how I handled it and I itemized it. It is not that I am filing after the fact, not knowing what I am doing and I resent that being on the record.

The Chair:

Everybody is getting off the subject. We're on sending the letter. Mr. Grabowski is the last speaker and we're calling the vote.

Mr. Grabowski:

Mr. President, earlier we took a vote on the amendment to include all elected officials and I'd like to make a motion that we reconsider that vote.

The Chair:

I will not honor that motion.

Mr. DePasquale:

I'm going to change my vote.

The Chair:

No, that amendment was defeated and I cannot honor that motion.

Michelle Madoff:

Excuse me, we haven't left the room; they can change their votes.

The Chair:

No. That amendment was defeated. It is out of order.

Mr. Grabowski:

Mr. President, I'd like to challenge the Chair.

Michelle Madoff seconded the motion.

Mr. O'Malley:

All in favor say aye.

The Chair:

Mr. O'Malley, one more time and I'm going to fine you for doing my job.

Mr. O'Malley:

Sorry.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Michelle Madoff
Mr. Grabowski	Mr. O'Malley

AYES 4

NOES 3

VOTING NO:

Mr. Pollock	Mr. Woods
Mr. Wagner	(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Mr. Grabowski:

Mr. President, how can you say the motion failed when there's four in favor and three against?

The Chair:

Right. Any motion at this meeting must have five votes, the legislative

meeting.

Mr. Grabowski:

Final passage, Mr. President.

The Chair:

Roll call vote on sending the letter.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 5 NOES 2

(MR. DEPASQUALE AND MR.
POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Pollock:

On the legislation you introduced this afternoon, I want to make a motion to hold it until a public hearing is set but before doing that I would also like to ask that before setting the public hearing that the legislation be submitted to the Legal Department so that when we have the public hearing the legislation is in its final form.

The Chair:

Mark, how about just making a motion to set a public hearing and prior

to the public hearing that we have the Legal Department look at it? Just like that.

Mr. Pollock:

And if the Legal Department amends it then it will be resubmitted in the amended form and then have a public hearing on the amended form?

The Chair:

No. You're going to ask them to have a legal opinion as it is presently written and that's how we'll have the public hearing. Any amendments can come after that, after the public hearing or whatever.

Mr. Pollock:

But my purpose was trying to save time. If the Legal Department says to amend it and it's resubmitted in amended form, then you might want to have another public hearing on the amended form.

So, I would ask that rather than have two separate public hearings, that let it be presented to us in the final form after the Legal Department amends it and then have the public hearing on the amended form. It makes more sense.

The Chair:

Alright, here's what you do. Make a motion to have a public hearing; I will see that it's sent down prior to that. And before we advertise for the public hearing, that whole amended form will be in the paper.

Mr. Pollock:

Okay.

Also, Mr. President, I'd like to

change my vote on the last vote to yes, on the letter.

The Chair:

You can't. I didn't let Mr. —

Mr. Pollock:

I can change my vote.

The Chair:

No. I wouldn't let Mr. DePasquale do it on the amendment. We're off that subject. This is a Monday meeting.

Mr. Pollock:

Alright.

The Chair:

Is there a second to hold this for a public hearing? The bill for testing for drugs.

Mr. Wagner:

I'll second it.

Michelle Madoff:

Discussion. I tried to have discussion on it. I had my hand up for a couple of seconds.

The Chair:

We can't discuss the bill. He's making the motion to having a public hearing, that's all. There's no discussion on it.

Michelle Madoff:

Excuse me. With all due respect, Mr. Pollock made some suggestions and I'd like to add to the suggestion.

The Chair:

And Mr. Pollock was out of order and I said that to him. I said we can discuss that later.

Michelle Madoff:

But you let him make the recommendation. I would like to make a recommendation.

The Chair:

I did and I let you do some other things.

All in favor of setting a public hearing?

Michelle Madoff:

Discussion.

The Chair:

There's no discussion on setting a public hearing.

Is there any other business before this Council?

Michelle Madoff:

Yes. I would like to make a floor motion that we create a line item in the budget for voluntary contributions for victims of the subsidence of the houses where people are going to be wiped out with their entire life savings. They have to pay off their mortgages, they don't have houses. We give to, and I have personally given \$200 because I saw the pathos of children dying of starvation in foreign countries. We see the outpouring of generosity in our community where people have come out with food. You yourself have done some outstanding work, Mr. Woods, on giving out food to the needy.

I think there is enough concern and warm-heartedness in our community that people would be willing to equitably give to those people —

The Chair:

I can't even honor your motion to begin with, Ms. Madoff. The only reason I can't, it's not really a floor motion. You're talking about a budgetary item. You're saying, setting up a line item in the budget. Please put it in written form and we can do it next Monday.

Michelle Madoff:

May I respond? When I introduced a floor motion to have voluntary contributions from suburbanites that came to \$3000 until the Administration called it the Laughing Tax instead of the Commuter Tax and we were getting money from people who said, "My kid spends \$10 a week on Pac Man", my services from the City are worth more than \$10. People are giving voluntary contributions to the general fund which are tax write-offs. That does not require anything but a floor motion.

We already have precedent. My precedent establishes the fact that I may legally request, and we can get the Parliamentarian to rule, just a creation of a line item. As a matter of fact, we had an 8 to 1 vote at that time for people who wish to make voluntary contributions to that fund which is tax deductible. That has been established and you are going against precedent if you rule me out of order and make me put it in writing. It is a floor motion and a floor motion does not have to be in writing.

The Chair:

Ms. Madoff, I am going to rule you out of order.

Michelle Madoff:

You always rule me out of order.

The Chair:

Let me finish. I listened very politely to you. We discussed this, I believe in our first meeting in January, that all motions of this type would be in written form 48 hours prior to coming to this meeting. We are going to abide by that. I'm not ruling you out of order; I'm just saying that I do not accept that motion.

Michelle Madoff:

May I have a ruling from the Parliamentarian?

The Chair:

No. We set these rules in Council. The Parliamentarian — I'm not going to accept that.

Michelle Madoff:

You allowed a floor motion the other day.

The Chair:

Mr. Pollock, you have the floor.

Mr. Pollock:

With all due respect to my colleague, I don't think that the City Administration, the City Controller and the Treasurer's Office, need to be getting involved in something like this. These kinds of things are set up all the time with banks as charitable trust funds. You go to the bank and set up a trust fund for mine subsidence victims. The media covers it, the television stations advertise it, and the money gets sent right to the trust fund. I don't think

we have to have a budgetary line item that's a permanent budgetary line item.

The Chair:

All I am asking is that if, Ms. Madoff, if you want to do something like that, please put it in writing and we can honor that next Monday, vote it up or down at that time.

Michelle Madoff:

May I have one moment, please? Mr. Woods, recently, and I just can't recall what the item was before this Council, you wanted something to go through and therefore you allowed it to be a floor motion. When you don't want something, you do not allow it to be a floor motion. I think that is terribly unfair and I think you ought to consider how you are being perceived by the public. I think you are singling me out, I think you're wrong, I think you are doing a disservice.

In response to my colleague, the reason I don't want to go to the bank and set up the Michelle Madoff recommendation trust fund to help subsidence, it is wrong. We are elected officials, we are concerned about all the people in the City. It should be a Council issue and it doesn't need a resolution because I think we all agree that we ought to do that.

The Chair:

Fine.

Mr. Wagner:

Mr. President, in regard to a previous issue in the time frame of 30 days, Mr. O'Malley indicated the 90-day time frame and that 90-day time frame would expire at the end of April.

The Chair:

No, no. That's before anyone can file to look is 90 days. So we're doing it tomorrow; we're perfectly alright.

Mr. Wagner:

But my point was that the request for information prior to the expiration of the 90-day time frame, it would not be consistent with that.

The Chair:

No, we want their report back to us within 30 days. We want them to request it right away. Okay?

Mr. Wagner:

Fine.

Mr. DePasquale moved to excuse Mr. Givens for absence from the meeting.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Wagner moved to approve the Minutes of Monday, February 24, 1986 and Monday, March 3, 1986.

Mr. O'Malley seconded the motion.

Which motion prevailed.

And on the motion of **Mr. DePasquale**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX | Monday, April 14, 1986

No. 15

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk
Pittsburgh, PA
Monday, April 14, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

We have a number of read and adopted resolutions today and we have some people here in the audience so, with that in mind, we will take the

resolutions first and, Mr. Givens and Mr. DePasquale, you are first.

Mr. Givens and Mr. DePasquale present

No. 658 WHEREAS, James B. McMahon will retire from a long and industrious career with city, county and country; and

WHEREAS, James McMahon served his country with the United States Army from 1942 until 1946, achieving the rank of Staff Sergeant; and,

WHEREAS, Jay, after working in the Jones and Laughlin Steel Mills for five years, began a career with the Pittsburgh Fire Department, retiring from the department after 25 years and with the rank of Captain; and,

WHEREAS, Jay then went to work with Allegheny County and later was appointed as personal tip-staff to Judge Robert Kelly; and,

WHEREAS, James has been a member of Holy Angels Roman Catholic Church for 20 years and actively involved in local politics in the city and state levels; and,

WHEREAS, Jay is blessed with a loving marriage of 44 years to Lillian Tanney McMahon, with two children, Geraldine Stephans and James McMahon, and four grandchildren, Christie and Michael Stephans and Jennifer and Kelly McMahon;

NOW THEREFORE, BE IT

RESOLVED, that the Council of the City of Pittsburgh joins with his many friends in honoring James B. McMahon's distinguished service to family, community, and government and in wishing him a long and happy retirement.

Mr. Givens moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Givens:

I'd like to say a few kind words to Jay. I first really met Jay as a State Committeeperson for the State of Pennsylvania, one who would have to travel to Harrisburg and on many occasions four, five, six times a year. In knowing Jay from that capacity, knowing him as a Fireman of the City of Pittsburgh and as an old veteran, Jay and I have many fond memories that we have worked with together and it's a tribute to a person of his caliber who has served both his country and the City of Pittsburgh as a fireman for 25 years and all of us know that not too many people within our Fire Department in the City get to enjoy their retirement and full life and full health and, Jay, you have been the one that has been able to do it and I hope that you can go out there and enjoy this with your children and your grandchildren and have just a great, gorgeous time from here on out.

Jay, just a few words, please.

Mr. McMahon:

Thank you very much, members of Council. I appreciate it. There's not much I can say but thank you very much.

The Chair:

Thank you, Jay.

Also,

No. 659 WHEREAS, Mr. Henry Dulemba has announced his retirement from a long unblemished career; and,

WHEREAS, Henry had served his country during World War II in a combat area of the South Pacific with the United States Navy as a Gunner's Mate, 2nd Class; and

WHEREAS, returning home he continued his career in the private sector until 1948 and then entered service with the Pittsburgh Bureau of Fire, culminating 23 years with the rank of Captain; and,

WHEREAS, Mr. Henry Dulemba was then appointed to the position of personal tip staff to Judge Michael J. O'Malley, presently President Judge of Common Pleas Court, where Henry remained for fourteen years; and,

WHEREAS, Henry has been a life long member of Holy Family Roman Catholic Church in Lawrenceville, and has served his neighbors on the local level of democratic politics for 35 years; and,

WHEREAS, Henry has been a loving husband to Clara Gibala Dulemba for thirty years, a devoted father to David, Judith Ann, and Lorraine Mary Lass, and a loving grandfather to Jonathon and Kathy;

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, join with his many friends, in honoring Henry Dulemba's dedicated services to family, career, and government and in wishing him a long

and happy retirement.

Mr. DePasquale moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Givens:

I'd just like to say about Henry, we go back a long time. In fact, both of us were raised up and reared in the Lawrenceville, 9th Ward, politics of the City of Pittsburgh. Henry has had many battles there and I have enjoined him with many of those endeavors.

But Henry also has made a tremendous contribution. He served as the President of the Arsenal Board of Trade for many, many years down there and if anyone knows what happens there on the 4th of July ceremonies, you'll appreciate what Henry Dulemba, through that Board, has kept the Butler Street area and the Penn Avenue area, along the 9th Ward of the City of Pittsburgh and the 6th Ward of the City of Pittsburgh really up in the high status as it is today. It's a good community area and Henry has done a lot to keep it in that particular fashion. He's a fighter all the way and I'd like to give a welcome to Henry Dulemba.

Mr. Dulemba:

Members of Council, friends, just for one minute, if I may. Jay and I, since we've decided to retire at this particular time, you might be surprised but we have a combined total of over 72 years in the service of the City and County government. That's quite a long time; 72 years.

But since Council has seen it appropriate to honor us in this manner,

all we can say is thank you very much, thank you very, very much, thank you.

Mr. DePasquale:

Dick Givens said it all; he didn't leave anything for me to say. But I just want to add that I grew up with Jay McMahon in the Oakland district. We've known each other all our lives. And for Sophie's information, Jay and Henry and I were Schenley High buddies.

Obviously, as Mr. Givens said, it gives us great pleasure, I know all of Council, to honor these two gentlemen as we did today. No one deserves any more. Thank you.

Michelle Madoff and Mr. Grabowski present

No. 660 WHEREAS, a recent case of mine subsidence in the Schenley Heights community ruined properties and revealed the need for some organized system of local assistance for residents who suffer property damage and displacement as a result of this hazard; and,

WHEREAS, during the recent crisis, Mayor Caliguiri personally led the City's effort to help these afflicted people, thereby establishing the City's determination to protect the lives and property of our citizens from the threat of mine subsidence; and,

WHEREAS, the people of Pittsburgh, in the American tradition of charitable generosity to victims of disasters, have always demonstrated their willingness to aid less fortunate people on the local, national, or international levels; and,

WHEREAS, the City of Pittsburgh must take the lead in coalescing these generous public energies and directing

them into an effective resource to financially assist Pittsburgh residents faced with the devastating effects of mine subsidence;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, in the spirit of governmental cooperation and humanitarian concern, recommends that the Administration create the appropriate financial mechanism to receive, deposit, and disperse voluntary public donations for the relief and support of Pittsburgh residents victimized by mine subsidence;

AND, BE IT FURTHER RESOLVED, that the Council recommends that the Administration use the full force of its public relations capability to solicit donations, inform the citizens of the availability of the fund, and urge Pittsburgh residents to purchase mine subsidence insurance for their own protection and welfare.

Mr. Grabowski moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Michelle Madoff:

As you may recall, the reason this was put in a resolution form was that Councilmembers wanted it put in this manner and, as you know, this is a wish list. It is not mandatory. It is a request for the Administration to set up a mechanism. That means they may decide to go to a bank and have people make contributions to a bank. But they're going to have to let the public know which bank, who to send the check to, how to make it out, whatever. And also, of course, to use the public relations department which incidentally

doesn't exist and we should have for the City but the Mayor should perhaps have the impetus to create a Public Relations Division to let people know that they should be buying subsidence insurance and we do remember that my colleague, Mr. Grabowski, came up with this issue long before it actually came about in such a dramatic manner. He might want to make some comments.

Mr. Grabowski:

I tend to agree with Michelle that this is something that may help ease the situation somewhat, as if there are some benevolent citizens out there that would like to contribute to a relief fund of some type that would help those that have experienced this problem. I think the big answer is if we can come up with some sort of protection, moreso than what there is right now. That's what this Council has been striving for for a couple years now. Maybe the Department of Environmental Services will finally act on this serious matter.

Michelle Madoff:

May I just add, right at this point I think the most pressing issue is I think what has happened has brought to everybody's attention that there but by the grace of God goes their home. But we're dealing with people. Everybody says, "It isn't going to happen to me" and it happened. These people have lost their homes, still owe their mortgages. They're basically not your wealthy residential areas.

I think when steel workers don't have jobs we pitch in and we find food. Mr. Woods, you yourself work to supply cheese and distributed food to the poor. We send money overseas, we collect money for people who are affected by blight and hunger and famine. Can't we for one time really pitch in and help our

own City residents?

What I'm doing, Mr. Grabowski and I are recommending that a mechanism be set up to notify the public that there is such a fund, that people can contribute, and they would disburse the money, whatever mechanism the Administration set up, to help those less fortunate. It isn't just enough to help them get their furniture out and say, "Well, we help you get what you can out." Where are they going to put it? They still have to pay their existing mortgage wherever they go, or their rent, plus their old mortgage.

I think we are a community that is generous enough in spirit to want to help the people who have had this problem and I would urge that a personal letter accompany this from our President of Council asking the Administration to proceed to put this into action.

Mr. Grabowski:

One further comment, Mr. President. I think what we have to do is try to focus attention and make the citizens aware for the most part that this is a very serious problem. Perhaps our Cable Bureau could develop some sort of programming whereby they can inform the citizens where these affected areas are. I'm sure that not many people realize that there are coal mines under Squirrel Hill. I mean, we're talking about some homes out there that probably are in excess of \$100,000 and the coal mines are probably 20-25 feet beneath their homes and many of these people don't realize it. But perhaps our Cable Department could come up with some programming whereby we can advertise the communities that are affected and provide some more information and make the public aware and if they should happen to someone, maybe they'll be fortunate enough to have the insurance.

The Chair:

I'll give it to Brother Emenacker because you have all the areas in the City that are undermined and perhaps they could use that.

Mr. Pollock:

In addition to using the cable, I think that a letter should be sent out with the City tax bills or with some other letters that go out to the public with a map saying which areas are affected and who they should contact at the State to acquire mine subsidence insurance. That way we know it actually gets into the individual resident's hands.

Michelle Madoff:

I might also want to point out that when you buy a house, if memory serves me well, it states very clearly that no one owns the mineral rights. When you buy your house you don't own the mineral rights under your house. So people should be aware of that as well.

And I think, Mr. Pollock, the City should do it through Water bills, perhaps, enclose it in an envelope, this notification, through any mechanism, but I know that we would get support from Duquesne Light or the utilities companies, or anybody that sends an enclosed bill, telephone bill, to enclose that as well. They would be very supportive of this kind of mailing.

But you're absolutely correct and I would like to have the City Clerk to add that to the bill if it's alright with my colleague, to amend the bill to include but the idea of Mr. Grabowski to go through Cable, and to send a notice out.

Mr. DePasquale:

I was just wondering if the URA,

under their broad powers, couldn't step in and buy that property.

The Chair:

I think the Administration is looking into that.

Mr. DePasquale:

The possibility of the URA buying it? Okay.

Mr. Wagner:

I'd like to ask Mr. Paul Imhoff, Chief of Bureau of Building Inspection, City of Pittsburgh, Dominic Cimino, and Pat Walker to please step forward for this resolution.

While they're walking up, I'd just like to say that interestingly enough, this resolution to some degree, ties in with the previous resolution because it pertains to Building Safety Week, something that we're trying to recognize with this resolution and also an upcoming seminar that's taking place this week.

Paul, maybe when you make a few comments you could even let the public know what that address is from the Bureau of Mines to obtain the type of insurance necessary for mine subsidence.

Mr. Wagner presents

No. 662 WHEREAS, across the nation this week, local and state governments, construction and design organizations, and the various professional associations of building officials and code administrators are making an effort to create a public awareness of the importance of construction safety codes and their effective enforcement; and,

WHEREAS, in conjunction with the

national effort, the Public Awareness Program of the City's Bureau of Building Inspection is focusing attention on the contributions made to the health, safety, and welfare of our building facility environment by dedicated code officials; and,

WHEREAS, the Superintendent, supervisors, staff, and building inspectors of the City's Bureau of Building Inspection are to be commended for their responsible and effective dedication to strict enforcement of our building codes; and

WHEREAS, the citizens of Pittsburgh are encouraged to participate in the various programs planned for Building Safety Week, particularly the seminar for first-time home buyers on Wednesday, April 16, 1986 from 5:00 - 7:00 P.M. on the Fifth Floor of the Public Safety Building;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the week of April 13th - 19th as National Building Safety Week in the City of Pittsburgh.

Mr. Wagner moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Wagner:

Paul, I'd like to ask you to say a few words to endorse this and possibly the mine subsidence.

Michelle Madoff:

Can I get a character reference from him first?

Mr. Imhoff:

You sure can.

First, I'd like to thank City Council for naming this week as National Building Safety Week. We're an enforcement agency and a lot of people hate to see us come around to their door but really our job is an effort to try to build a safer place for you to live, work and play in the City of Pittsburgh as well as across the nation.

As an officer of BOCA and as the Chairman of Major City Building Officials, two of the sponsoring organizations nationwide for this program, I'd like to thank you on their behalf also.

And as far as Mr. Wagner is saying about the mine insurance, after the incident in Bryn-Mawr, I'd like to assure you after going through these people's homes up there and seeing plaster and everything down all over their belongings, personal belongings, and having to move their belongings into the street so that they could be packed in full view of the public, the first thing I did was go home and have my wife call to get mine insurance. I've lived 25 years at my place and never had it.

The place where you get it is at the Office of Mining in McMurray, PA. They're in the book; they're a federal agency and you have to make a request for an application. Once you fill out the application and mail it back in, someone will come and inspect your home and at the time they inspect it you have to make the payment for the policy. It's based on \$1000.00 evaluation, \$1.00 per \$1000.00 and it's the best investment I think we've made.

Michelle Madoff:

Mr. Imhoff, would you be willing to give that information and follow up to see that Mr. Pollock's recommendation is followed through, that it indeed goes to each home owner and, not only home owners but to buildings such as mine? I think my building is looking into doing it too. I think it's very important; they don't have it in our building.

Mr. Pollock:

Paul, is that a one-time bill like a title insurance or is it an annual premium?

Mr. Imhoff:

It's an annual premium. In my case, it was \$48.50. If you're a senior citizen, they give you a 10 percent discount.

Mr. Pollock:

Every year?

Mr. Imhoff:

Yes.

Mrs. Masloff:

For what valuation?

Mr. Imhoff:

It's based on \$1.00 per \$1,000.00. If your house is worth \$50,000.00, it's \$50.00.

Mr. Wagner:

I'd like to ask Dominic Cimino to say a few words also.

Mr Cimino:

I'd like to thank City Council for honoring this week as National Building Safety Week. Building Inspection is extremely proud to be a part of providing for City residents a safe place to live and work.

Contrary to public opinion, good enforcement of a good building code encourages both development of land and structures.

Again, I'd like to thank everyone.

Ms. Walker:

I just wanted to briefly thank Mr. Imhoff because it is through his efforts that National Building Safety Week has been brought to the City of Pittsburgh. We did a lot of activities last year and, of course, this year we've had more publicity than we've ever had about Building Safety Week. But he is the President of the Building Officials and Code Enforcement Administrators, Inc., and he is also involved in the Association of Major Building Officials. It's a nationwide organization and they are primarily the ones who are behind this and Mr. Imhoff is the one who is the motivator, seeing to it that we have Building Safety Week here in the City of Pittsburgh.

The Chair:

Thank you.

Mr. Wagner:

For everyone's information, that was Pat Walker. She is a building inspector for the City of Pittsburgh. Thank you, Pat.

For our next resolution, Mr. President and members of Council, I'd

like to ask the Safety Coordinator for the City of Pittsburgh, Mr. Jerry Lynch, to please step forward.

While Jerry is walking forward, actually this resolution was initiated by Jerry through me and I think it's another resolution that pertains to general safety in the public and it also relates to a piece of legislation in the house.

Mr. Wagner presents

No. 661 WHEREAS, in June, 1984, the Commonwealth of Pennsylvania adopted the Motor Carrier Safety Assistance Program (MCSAP) and repealed Section 4522 of the Pennsylvania Motor Vehicle Code; and

WHEREAS, by repealing Section 4522 of the Motor Vehicle Code, no city, county, or township police officer in the Commonwealth, except a limited group of State Police Officers, can enforce the Federal Motor Carrier Safety Regulations (FMCSR) for truck, truck tractor, and semi-trailer combinations engaged in interstate commerce; and,

WHEREAS, because of this inability of local police officers to enforce vehicle safety regulations and to inspect unsafe vehicles, more and more owners of trucks and tractor-trailers are sending their vehicles into the Commonwealth with procedural and equipment violations that directly effect their safe operations and endanger the lives of Pennsylvania motorists; and

WHEREAS, this hazardous situation must be remedied by amending the existing Section 4107 to include the phraseology of the repealed Section 4522;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby petition the

Legislature to amend Section 4107 of the Pennsylvania Motor Vehicle Code to include the following provisions:

**VIOLATION OF FEDERAL STATUTE
OR REGULATION**

General Rule: No person shall drive a vehicle on any highway in violation of any provision of a federal statute or regulation relating to any type of equipment or documents used in the vehicle while engaged in interstate commerce.

Penalty: Any person violating this section is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$100.00.

Mr. Wagner moved to adopt the resolution.

Mr. Givens seconded the motion.

Michelle Madoff:

Question before I vote on it. You only want to fine them \$100?

Mr. Wagner:

Well, the amendment, which I would like Jerry to speak to, is very important. At the present time, we cannot fine anyone anything. This piece of legislation that is now in Harrisburg is very important in terms of being a deterrent from keeping trucks that are violating the laws off our parkways and our interstate highways that are passing through the City of Pittsburgh.

Michelle Madoff:

The fact of life is that for \$100, if you got a major violation on your truck you'll send it in and pay the \$100.

We had an incident, as you recall, where a truck got loose and killed people at the Horne's Building, right near Horne's. What are you going to do with a \$100 fine? It's a joke. Put them in jail. Lock them up forever.

Mr. Wagner:

If I may, it depends also on the type of violation that is involved and there's other things besides a fine which Jerry will mention.

Michelle Madoff:

It isn't strong enough.

Mr. Wagner:

This is what is proposed in Harrisburg and this is what we would like to amend in Harrisburg.

Mr. O'Malley:

Jack, this says our local police, the inability of local police officers to enforce the Vehicles Safety Regulations and to inspect unsafe vehicles. Does this amendment give them the authority to do that? I don't see it in the amendment that this would give the local police officers the authority to inspect the vehicles.

Mr. Wagner:

Yes, it would.

Mr. Lynch:

Let me try to assemble this so it's easier rather than read the bill.

For instance, we have a tractor trailer coming down Liberty Avenue toward town in Bloomfield. A police officer pulls that vehicle over near the top of the hill, above Iron City Brewery

for speeding. During that citation, he sees that the tractor has no brakes, the trailer has an airline cut. There's nothing he can do about it. He can't secure that vehicle there under the current legislation.

Under the previous legislation, he could secure that vehicle, cause that driver not to be able to operate that vehicle, not to be able to have it moved unless it was towed. Now, the police officer could see numerous violations which are \$100 each, safety violations, could see numerous violations. He may be able to get a MCSAP, a State Police Officer from Harrisburg to come but I doubt that they would come that far for that violation, and once the police officer left, the vehicle could again move and lose his brakes or any number of other problems.

The only thing the police officer can stop him for now is City of Pittsburgh Vehicle Code Violations. Federal, they can't do a thing about it.

Mr. O'Malley:

Does this amendment give our police officers the ability to enforce the Motor Vehicle Code and stop that truck from proceeding if its found unsafe?

Mr. Lynch:

Yes.

Michelle Madoff:

I'm a little confused. Doesn't the State and City Vehicle Code, or do we have a City Vehicle Code that says that you cannot have brakes that are defective or wheels that are spinning out of line? Why don't we write our own code?

Mr. Lynch:

Well, the Federal Motor Carrier Safety Act which was demolished a year ago and the MCSAP program took it over, used to allow us to do that. But the reason this wording was left out of the bill was an honest mistake. Someone didn't notice it. But all the rural and City police officers really have no right to respond any longer.

Michelle Madoff:

Are we pre-empted by State law or can we write our own law as well? For example, let me tell you what my great concern is. You can write all the laws in the world but laws without enforcement are an exercise in futility. I have had boulders and pieces of metal fall off of trucks in front of me, once when I had a car two hours, a new car, under my car and ruin my car. I had to have \$200 or \$300 worth of work. Why aren't we enforcing the existing laws on tarpaulins? I wanted to enact a law on tarpaulins here and I was told we already have it in the Code. Why aren't our police enforcing it? Who's in charge of the Police Department on Council now?

The Chair:

The same man that is presenting this legislation and I'm sure he will take care of that.

Michelle Madoff:

Mr. Wagner, tarpaulins. All the dirt that we get in the City, all the boulders and pieces of metal that fall off. I want every truck tarpaulined. I want to be able to cite them myself.

The Chair:

All in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Wagner:

If I may comment, Mr. President. Many of our police officers have attempted to fine and without this law backing them, they cannot. Jerry, as a Safety Coordinator, as met with police officers. He has brought that to our attention. That's the purpose of the resolution. The next step is to send this resolution to Harrisburg as an endorsement to this legislation. Thank you.

Mr. Depasquale presented

No. 614 Resolution providing for the issuance of a warrant in favor of Metz and Lautner (George Lautner, Partner) in the amount of \$5,527.01 in payment of Extra Work, being in addition to the original contract price of \$32,170.00 on Controller's Contract No. 27218, furnished for the benefit of the City in connection with the Rehabilitation of Fire Stations No. 16, 36, and 7, payable from Code Account RC 85-47 (PRIOR APPROVAL GRANTED)

Also,

No. 615 Resolution providing for the issuance of a warrant in favor of Sargent Electric Company in the amount of \$260.00 in payment of Extra Work, being in addition to the original contract price of \$81,632.00 on Controller's Contract No. 27720, furnished for the benefit of the City in connection with the Building Electrical, Pittsburgh Zoo - Phase 4.1: Plaza, payable from Code Account PR 81-02. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on Finance.

Also,

No. 616 Resolution amending Res. No. 97, effective March 2, 1984, entitled: "Providing for a Contract or Contracts, or use of existing Contracts, for the rehabilitation of various Housing Authority Playgrounds including Glen Hazel and Bedford Housing sites; and providing for the payment of the cost thereof," by increasing the total project allocation from \$40,000.00 to \$70,000.00, chargeable to and payable from CDPR 83-10 - \$40,000.00, and CDEC 85-35 - \$30,000.00. Approximately \$55,000.00 will be used at the Glen Hazel Playground to renovate and update the finishes and equipment and improve the safety.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 617 Resolution providing for authorization to advertise for, award and enter into Contracts or use of existing Contracts for the purchase, lease and/or installation, etc. of equipment, services, materials and supplies for the development of the City of Pittsburgh's Municipal Services Cable Channel 15 and the Bureau of Cable Communications TV Production Facilities at a cost not to exceed \$182,000.00, chargeable to and payable from the Community Communications Trust Fund, Bureau of Cable Communications, Department of Public Works.

Also,

No. 618 Resolution amending Res. No. 602, effective July 20, 1984, entitled: "Providing for a Reimbursement Agreement or Agreements with the County of Allegheny in connection with the

renovation of elevator "K" in the City-County Building; and providing for the payment of the cost thereof", by changing the renovation from Elevator "K" to Elevator "G", the aggregate cost shall not exceed \$150,000.00, City's share shall not exceed \$75,000.00, chargeable to and payable from the Communication Communications Trust Fund, Code Account CC, Department of Public Works, Bureau of Cable Communications.

Also,

No. 619 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Lawrence Staab, James Lenkner and Ellen Clair to attend the Professional Development Seminar at Duquesne University on May 29-30, 1986, at a cost not to exceed \$1,800.00, payable from the Community Communications Trust Fund.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 620 Resolution providing for the issuance of a warrant in favor of Motorola Communications & Electronics, Inc., in the amount of \$11,475.00 in payment for the moving of command consoles and related equipment at Medic Command, due to time constraints imposed by Presbyterian Hospital, payable from Code Account 1132-5, Radio Improvements, Department of General Services.

Which was read and referred to the Committee on Finance.

Also,

No. 621 Communication from George Jacoby, Director, Department of

General Services, requesting permission for Chet Malesky to attend the Regional Procurement Conference in Washington, D.C. on April 16-17, 1986, at a cost not to exceed \$500.00, payable from Code Account No. 1128. (PRIOR APPROVAL GRANTED)

Also,

No. 622 Communication from George Jacoby, Director, Department of General Services, requesting permission for Chet Malesky and Rory Melnick to attend the National Institute of Government Purchasing's 41st Annual Conference and Products Exposition in Washington, D.C. from August 3-6, 1986, at a cost not to exceed \$1,500.00, payable from Code Account 1128.

Also,

No. 623 Communication from George Jacoby, Director, Department of General Services, requesting permission for Barbara Burger to attend the National Safety Council Public Employees Section Executive Committee Meeting in Milwaukee, Wisconsin from June 23-26, 1986 at a cost not to exceed \$800.00, payable from Code Account 1128.

Which were severally read and referred to the Committee on General Services.

Mrs. Masloff presented

No. 624 Resolution amending Resolution No. 229, effective March 31, 1986, entitled: "Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to enter into Agreements in individual amounts less than \$5,000.00 with various performers, instructors, artists and other persons with specialized skills in connection with the Department's various Recreational and Instructional

Programs", by specifying that the Agreements are for the calendar year 1986 and by deleting any reference to an aggregate amount.

Which was read and referred to the Committee on Parks and Recreation.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 625 Resolution authorizing the issuance of a warrant in favor of ABCO Fire Protection, Inc., in the amount of \$627.73 in payment for the servicing and inspection of fire extinguishers furnished for the benefit of the City, chargeable to and payable from Code Account No. 1807, Repairs, Department of Parks and Recreation.

Which was read and referred to the Committee on Finance.

Also,

No. 626 An Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, Chapter 161, by adding 161.20, "Acquisition and Disposition of Animals and Plants at the Zoo, Aviary and Phipps Conservatory.

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 627 Resolution providing for

the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing of twenty (20) portable radios at the Pittsburgh Zoo at a cost not to exceed \$7,900.00, payable from Trust Fund PZCDI Pittsburgh Zoo Capital Development and Improvement, Department of Parks and Recreation.

Which was read and referred to the Committee on General Services.

Also,

No. 628 Resolution providing for an Agreement or Agreements with various contractors to provide professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$81,865.00; \$10,665.00 chargeable to and payable from Code Account 1833 Recreational Activities, Concerts, and \$71,200.00 from Code Account 1838 Recreational Activities, Miscellaneous Services, Department of Parks and Recreation.

Also,

No. 629 Resolution providing for an Agreement or Agreements with the Pittsburgh Trust for Cultural Resources for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986 at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1838, Miscellaneous Services, Department of Parks and Recreation.

Also,

No. 630 Resolution providing for authorization to enter into an Agreement or Agreements with various contractors for professional services in conjunction with the Department of Parks and Recreation, Special Events and Cultural Affairs Summer Program at a cost not to

exceed \$25,000.00 chargeable to and payable from the Special Parks Program Trust Fund, Department of Parks and Recreation.

Also,

No. 631 Resolution providing for an Agreement or Agreements with Allegheny County Institutional District in connection with the Federal Area Plan for Programs on Aging providing for payment and reimbursements to the City by Allegheny County Institutional District for expenditures in connection with the Senior Citizens Program, providing for the payment of the City's share of the cost. The City Treasurer is hereby authorized to deposit funds in the Senior Citizens Program Trust Fund (SCPTF).

Also,

No. 632 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Robert Jones to attend the Pennsylvania Parks and Recreation Society Conference on April 5-6, 1986, cost not to exceed \$200.00, payable from Code Account 1801. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 633 Resolution further amending Res. No. 733 of 1983 as amended by Res. No. 548 of 1985 and Res. No. 1201 of 1985 entitled: "Providing for an Agreement or Agreements with various Private for Profit and Non-Profit entities to provide employment opportunities for low and moderate income City residents in connection with the 1983 CDBG

Emergency Jobs Bill Program and providing for payment of the costs thereof," by providing for the reprogramming of unspent funds by reducing the amount available for administrative costs by \$23,200.00 and by reducing the amount available for subcontracts by \$113,600.00 and by increasing the amount available for participant wages and fringes by \$136,800.00, payable from the 1983 CDBG Emergency Jobs Bill Program, Department of Personnel and Civil Service Commission (PC-83-01), federal funds.

Also,

No. 634 Resolution providing for the issuance of a warrant in the amount of \$76,000.00 in full settlement of a claim for personal injuries to Diane Verdeal Tench, deceased with plaintiff, in full settlement of claim, arising from an accident at or about the corner of Lemington and Lincoln Avenues in the City of Pittsburgh on September 12, 1979 in the nature of a falldown causing personal injuries to the deceased wife plaintiff Diane Verdeal Tench payable from Code Account No. 46, Judgments.

Also,

No. 635 Resolution providing for a Professional Services Agreement or Agreements for the provision of automating the Maintenance Management System in the Department of Parks and Recreation at a cost not to exceed \$20,500.00 for the Bureau of Information Systems, City Information Systems, Department of Mayor, payable from Code Account 1043, Miscellaneous Services.

Also,

No. 636 Resolution providing for the filing of a petition or petitions for

the sale of property, acquired at tax sales in accordance with Act No. 514 of 1947, as amended. Properties are in various wards of Pittsburgh.

Also,

No. 637 Communication from Melanie Smith, Director, Department of Personnel and Civil Services, requesting permission for Susan Gove to attend the Third National Labor-Management Conference in Washington, D.C. from May 28-30, 1986, at a cost not to exceed \$850.00, payable from Code Account 1100.

Also,

No. 638 Communication from Melanie Smith, Director, Department of Personnel and Civil Services, requesting permission for Anne McCafferty to attend the Pennsylvania Service Delivery Area Association Annual Conference at Seven Springs, Pennsylvania from April 30 - May 2, 1986, at a cost not to exceed \$275.00, payable from the JTPA-1 Trust Fund. Use of a City vehicle is also requested.

Also,

No. 639 Communication from Ronald C. Schmeiser, Director, Department of Finance, submitting a report of deposits and market value of collateral security pledged by City Depositories to secure same as of March 31, 1986.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 640 Resolution providing for an Agreement or Agreements with the University of Pittsburgh - Office of Urban & Community Affairs for the

"Development of an Informational Profile of the Black Community in Pittsburgh", at a cost not to exceed \$50,000.00, chargeable to and payable from the 1985 Community Development Block Grant Program - "Unspecified Local Options" (CC-85-01).

Also,

No. 641 Resolution Repealing Res. No. 791, eff. August 23, 1985 entitled: "Providing for an Agreement or Agreements with the Bethlehem Haven of Pittsburgh, located at 620 Smithfield Street and the URA for renovation of their building at 1111 Penn Avenue, for provision of homeless-support, at a cost not to exceed \$90,000.00, chargeable to and payable from the 1985 Community Development Block Grant Program - 'Unspecified Local Options' (CC-85-01), is hereby repealed."

Also,

No. 642 Resolution Repealing Res. No. 806, effective August 23, 1985, entitled: "Providing for an Agreement or Agreements with the Washington Heights Athletic Association, for the City's share in the construction of a facility to be used for the organization's programs at a cost not to exceed \$10,800.00, chargeable to and payable from the 1985 Community Development Block Grant Program - 'Unspecified Local Options' (CC-85-01), is hereby repealed."

Also,

No. 643 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William J. McShane II for the sale of Block 23F Lot 320 (208 Jacksonia Street), 25th Ward, City of Pittsburgh, for the sum of \$3,500.00. The redeveloper plans to rehabilitate the

existing residential structure on this lot. The redeveloper's address is 5440 Ellsworth Avenue, Pgh., PA 15232. The lot is being acquired following certification as blighted property by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 644 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Womanspace East, Inc., for the sum of \$35,000.00 - Neighborhood Housing Fund.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 645 Resolution providing for the letting of a Contract or Contracts or the use of existing Contracts for the furnishing, on site delivery and installation of a Firearms Training System for the Department of Public Safety, Bureau of Administration Training Center at a cost not to exceed \$40,000.00, chargeable to and payable from the Department of Public Safety, Bureau of Administration Code Account (PRIST).

Which was read and referred to the Committee on General Services.

Also,

No. 646 Resolution providing for a Contract or Contracts or the use of existing Contracts for the renovation, remodeling and refurbishing of the fourth floor of the Public Safety Building to include but not be limited to the electrical work, plumbing, carpeting and

painting at a cost not to exceed \$28,000.00, chargeable to and payable from the Department of Public Safety, Bureau of Administration Code Account (DPSTPP).

Also,

No. 647 Communication from John Norton, Director, Department of Public Safety, requesting permission for Paul Imhoff to attend the Association of Major City Building Officials Executive meeting in Arlington, Virginia on April 20, 1986 and the Workshop on Accountability and Building Designing Construction Process on April 21, 1986, at a cost not to exceed \$600.00, payable from Code Account No. 1476.

Also,

No. 648 Communication from John Norton, Director, Department of Public Safety, requesting permission for Roy Cox, William Miller, Horace McDaniel, William Mullen, John Leahy, Denise Haas, John Moran and Boyd Messenger to attend the Results Management '86 seminar in Pittsburgh, PA on April 29-30, 1986, at a cost not to exceed \$800.00, payable from the Department of Public Safety, Bureau of Administration Code Account DPSTPP.

Also,

No. 649 Communication from John Norton, Director, Department of Public Safety, requesting permission for Charles Moffatt to attend a seminar on Special Weapons and Tactics in Washington, D.C. from April 22-24, 1986, at a cost not to exceed \$900.00, payable from the Department of Public Safety, Code Account DPSTPP.

Also,

No. 650 Communication from John

Norton, Director, Department of Public Safety, requesting permission for Robert McCaughan, Thomas Huerbin, John Bronder, Jack Marks, Harold Denson and Anthony Laush to attend Phase II, Water Rescue Course in Harrisburg, PA from April 18-20, 1986, at a cost not to exceed \$1,600.00, payable from Code Account DPSTPP. Use of a City vehicle is also requested.

Also,

No. 651 Communication from John Norton, Director, Department of Public Safety, requesting permission for Bernard Schmiedeke, Lawrence Harding, Ronald Nymann and Richard Passaro to study the Firearms Training System in Toledo, Ohio on April 7-8, 1986, at a cost not to exceed \$500.00, payable from Code Account DPSTPP. Use of a City vehicle is also requested.

Which were severally read and referred to the Committee on Public Safety.

Michelle Madoff:

Mr. President, I am sitting in a draft. Sophie and I have been ill many times because of this draft; it hits right over here. You were supposed to fix it. We could open a window and turn off the air-conditioning.

The Chair:

Michelle, it's 72 degrees. It's not cold.

Michelle Madoff:

There's a draft. I don't care if it was 22 degrees or 100 degrees. There's a draft. Get Mr. Fisher to fix it and open a window. It's not funny. I'm tired of being sick.

The Chair:

Alright, please everybody, sit down. Open a window.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 652

Report of the Committee on Finance for April 9, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 527

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Criscella Construction Company (Emeric A. Criscella, President) in the amount of \$4,957.00 in payment of Extra Work, being in addition to the original contract price of \$45,825.00 on Controller's Contract No. 27188-F, furnished for the benefit of the City in connection with the Modification to Special Populations Program Centers, and providing for the payment thereof."

Which was read.

Also,

Bill No. 528

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Allison Park Landscape, (Frank Zottola, President) in the amount of \$1,075.91 in payment for Extra Work, being in addition to the original contract price of \$111,375.00 on Controller's Contract No. 27612-F, furnished for the

benefit of the City in connection with the Reconstruction of Gomer Street Wall from Sterling Street to Mission Street, and providing for the payment thereof."

Which was read.

Michelle Madoff:

I'm abstaining on Bills 527 and 528 because they're extra work and I wasn't here to find out why they're extra work so I'm going to abstain on those.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't)

AYES 8 NOES none

(MICHELLE MADOFF ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 540

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Fleming Gray Limited in the amount of \$879.30 in payment for parts for the skate sharpening machines at Schenley Park Skating Rink, furnished

for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 541

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Hendee Zoological Company II in the amount of \$545.00 in payment for the purchase of birds furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Michelle Madoff:

On Bill 541, I have asked for years that we have an increase in beeper service for the Aviary and Conservatory

and since that has not happened yet I'm going to have to vote no on that bill.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES 1

(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 542

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Carnegie Library of Pittsburgh in the amount of \$896.45 in payment for utility costs for the Sheraden Senior Citizen Center furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 543

A Resolution entitled, "Resolution

authorizing the issuance of a warrant in favor of Stadiums Unlimited in the amount of \$600.00 in payment for parts for the Trans-stage furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 549

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, for sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 514 of 1947, as amended."

Which was read.

Also,

Bill No. 550

A Resolution entitled, "Resolution providing for the filing of a petition for the sale of property acquired at a tax sale in accordance with Act No. 171 of 1984, effective December 11, 1984."

Which was read.

Also,

Bill No. 551

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for sale of properties acquired at tax sales in accordance with Act No. 514 of 1947, as amended."

Which was read.

Also,

Bill No. 552

A Resolution entitled, "Resolution Repealing Res. No. 959, Item M, approved October 1, 1981, which authorized the sale of property in the 19th Ward, being a vacant lot, located on Southern Avenue, designated as Block 4-K, Lot 231, to Robert J. Luttig and Nicoletta L. Luttig, his wife, for the sum of \$450.00."

Which was read.

Also,

Bill No. 553

A Resolution entitled, "Resolution amending Res. No. 36, Item L, approved February 4, 1986, which authorized the sale of property in the 21st Ward, being a vacant lot at 1323 Adams Street, to James Glascoe & Evelyn A. Glascoe, his wife, for the sum of \$600.00."

Which was read.

Also,

Bill No. 554

A Resolution entitled, "Resolution amending Res. No. 36, Item J, approved February 4, 1986, which authorized the sale of property in the 19th Ward, being vacant land, located on Coast Avenue and Cagwin Street, designated as Block 35-J, Lots 96-98, 157, to John R. Kilkeary and Mary G. Kilkeary, his wife, for the sum of \$975.00."

Which was read.

Also,

Bill No. 555

A Resolution entitled, "Resolution authorizing the City to enter into a Cooperation Agreement or Agreements with the County of Allegheny and the School District of Pittsburgh to implement a pilot program whereby students of the Connelley Skill Learning Center shall rehabilitate a certain single family dwelling located at 1721 Cliff Street, in the 3rd Ward, City of Pittsburgh, which property is owned by the Three Taxing Bodies."

Which was read.

Mr. DePasquale:

Mr. President, I just wanted to state we're all aware that Bill 555 is a pilot program and I wanted to add that the Board of Education, I've talked to most of the members, are quite optimistic about this program. They feel that it's going to be very successful. Hopefully the beginning of it is successful, and I don't see why it won't be, and then they'll have many more after that.

Mr. Givens:

On the same bill, Mr. President, I was not here last Wednesday and I have some concerns. Has this been given to the Allegheny Labor Counsel for their scrutiny, and if not, I would ask that the bill be held. It's not that I am not for this, I am. But I would like to see, and rightfully so, a coordination between the trades within Allegheny County and the City of Pittsburgh with that of what the school's doing. I think it's a good complement but I would like very definitely to have their blessings in this before we go forward and do this actual work because sometimes the various trades feel that this is an infringement upon their skills when they have people that are unemployed out there. However, when it comes down to education, many times they'd like to even participate in helping out those children who are going through the trade school here.

The Chair:

I'm not going to speak for what the the Administration has done but I know that the building trades are very involved with Connelley Vocational and I'm sure that they don't have any objections. In fact, we tried to get something similar to this a few years back with Frankie Mae Jeeter and her Welfare Rights Organization with -- Nick Stavanovich and I were working on that about four years ago, on a project similar to that.

Mr. Givens:

I just have that question and for that reason and some other questions I have on the bill, I would like to --

Mr. Woods:

Building trades very, very seldom do commercial work, especially home

work, and I don't feel there's any problem whatsoever. In fact, most of the North Side knows that the building trades are not even involved in that. They do commercial, light industrial and industrial. So, I don't see any problem with this.

Mr. Givens:

I'll rely on your good judgment. Okay.

Michelle Madoff:

I agree with you, Mr. Woods, on Bill 555. What we need to do is expand that a lot more to have sweat equity where some of the homes, you put them on the market quickly before they're cannibalized and let people get together in groups. I don't know if you recall, it was before your time, we had the squatters here. We had a real big problem with ACORN. People going into the houses when they were evicted from the houses. There's no reason why we can't make good solid homes that need to be perhaps gutted and redone, sweat equity, retired carpenters, electricians, who would volunteer to help in the community and I'd like to see this bill go far beyond this one example and that's being put together by I guess a training school, to teach the youngsters or those who are in retraining.

I'm saying that we ought to expand this and perhaps, Mike, you could dig out my old resolution somewhere and we'll put in another one that we make our houses available through sweat equity. Perhaps Mr. Pollock and his committee would look into it. He probably is already but that is something that we ought to be doing. We have this supply of houses that come on the market, hundreds of people in each shelter. They have nowhere to live, they don't have the money to rehab, but through sweat

equity and through community involvement. It's very much the way they used to do barn-raising. We could make a lot of houses available to people.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 562

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of First Response, Inc., 4788 Highway 42, Ellenwood, GA 30049, in the amount of \$1,233.00 in payment for Inverter Reconditioning and providing for the payment thereof."

Which was read.

Also,

Bill No. 563

A Resolution entitled, "Resolution providing for the issuance of a warrant in

favor of Penetone Corporation, 74 Hudson Avenue, Tenafly, NJ 07670 in the amount of \$363.60 in payment for a Power Cleaner and providing for the payment thereof."

Which was read.

Michelle Madoff:

On Bill 563, I'm sorry, I was out ill, I've really been doing a number on myself these days. The power cleaner being paid for from EMS. What is a power cleaner and why is the EMS fund paying for it? It was furnished without previous authority of law, so it had five signatures. But what is it? What's a power cleaner? Who is using it and why are we paying for it out of the Emergency Medical Fund?

Mr. Givens:

It cleans Fire and EMS uniforms.

Michelle Madoff:

Fine. Now I know it's a good thing.

Also,

Bill No. 564

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of National Academy of Criminal Justice, P.O. Box 102, Midway, MA 02053 in the amount of \$295.00 for an In-Car Seminar Police Training Program and providing for the payment thereof."

Which was read.

Also,

Bill No. 565

A Resolution entitled, "Resolution providing for the issuance of a warrant in

favor of Lafayette Instrument Company, Inc., P.O. Box 5729, LaFayette, Indiana 47903, in the amount of \$329.28 in payment for repairs made to a Polygraph Machine and providing for the payment thereof."

Which was read.

Also,

Bill No. 566

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Insulfoams, Inc., 3550 Spring Garden Road, Pittsburgh, PA 15212, in the amount of \$4,990.00, in payment for foam filling of the pontoons of the Boat House and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 597

A Resolution entitled, "Resolution transferring \$15,000.00 from Code Account 1475, Index Code 147504, Salaries and Wages, Regular and Temporary Employees, Department of Public Safety, Bureau of Building Inspection to Code Account 1475-1, Index Code 147512, Premium Pay, Department of Public Safety, Bureau of Building Inspection."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 653

Report of the Committee on Finance for April 14, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 513

A Resolution entitled, "Resolution supplementing and amending Resolution No. 1281 of 1985, effective January 1, 1986, entitled: 'Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1986' by increasing estimated revenues and establishing a line item appropriation entitled: 'URA Development Loan'."

Which was read.

Also,

Bill No. 514

A Resolution entitled, "Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to provide funds for the making of funds for the making of loans in connection with the Urban Redevelopment Authority's Business Reinvestment Fund in the amount of \$20,000,000.00, payable from Code Account No. 52, URA Development Loan."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Malley:

In accordance with Section 322 of the Home Rule Charter publication effective date of legislation, I move that the effective date on Bill No. 597 shall be the date on which it is signed by the Mayor.

Mr. Givens seconded the motion.

Michelle Madoff:

Would somebody please tell me what that is?

Mr. Perry:

That's so the Payroll Department can meet the payroll for this Wednesday. That's Bill No. 597, File No. 300.

Michelle Madoff:

What held it up?

Mr. Perry:

They were late in submitting it.

Michelle Madoff:

Okay.

WHICH MOTION PREVAILED.

Mr. Givens presented

Bill No. 654

Report of the Committee on Public Works for April 9, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 530

A Resolution entitled, "Resolution granting unto Fischer Scientific, their successors and assigns, the privilege and license to construct, maintain and use a line of steel post in a portion of the sidewalk of Watson Street in line with the existing telephone poles at the rear of 711 Forbes Avenue, in the 27th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 531

A Resolution entitled, "Resolution granting unto Sheraden Congregation of Jehovah's Witnesses, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Driveway Extension and Parking Lot on a portion of the roadway of Acasto Way in the 20th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 532

A Resolution entitled, "Resolution amending the Title and Section 1, 3, 5, 6, and 7 of Resolution No. 820 approved

August 19, 1985 effective date August 23, 1985 entitled: 'Sidewalk Encroachment on a Portion of the Sidewalk of 23rd Street in the 2nd Ward of the City of Pittsburgh.'"

Which was read.

Also,

Bill No. 533

A Resolution entitled, "Resolution vacating the Easterly 15' portion of Monmouth Street between Nicholson Street and Taylor Allderdice Athletic Field in the 14th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 655

Report of the Committee on Planning, Housing and Development for April 9, 1986 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 140

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 5 by changing: From "R2" Two-Family Residence District to "C1" Neighborhood Retail District certain property located on the southeast corner of BRIGHTON ROAD and GOE AVENUE and identified as Lot No. 120, Block 114-S in the Allegheny County Block and Lot System, 27th Ward."

Which was read.

Mr. Pollock:

I would like my comments from the Committee Meeting on Bill No. 140 brought forward please.

(MR. POLLOCK'S REMARKS ON BILL NO. 140 - WEDNESDAY, 4/9/86)

Mr. Pollock:

At the hearing, there were concerns raised by some of the neighbors regarding -- their fear was that once the zone change takes place, that even though the use will be for a doctor's office, there is no guarantee that the future use will be for a doctor's office. My understanding is that the neighbors have met with the developers and owners

of the property and have received assurances and they are satisfied. I checked with them and I received a signed document from the people who attended the public hearing that they now consent and join in this petition. So, I'm content that the zoning change go through. I just wanted to put that on the record.

(END OF REMARKS)

Also,

Bill No. 557

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William J. McShane II for the sale of Block 23E Lot 220 in the 25th Ward of the City of Pittsburgh (RESALE FOR REHABILITATION)."

Which was read.

Also,

Bill No. 558

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Nadine Brnilovich for the sale of Block 30A Lot 171 in the 16th Ward of the City of Pittsburgh (SIDEYARD)."

Which was read.

Also,

Bill No. 559

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to convey and the City of Pittsburgh to acquire the

property designated as Parcel 119 in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32."

Which was read.

Also,

Bill No. 560

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 12th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block and Lot 125-K-130 under the Industrial Land Reserve Fund."

Which was read.

Also,

Bill No. 561

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 14th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block and Lot 125-P-151 under the Residential Land Reserve Fund."

Which was read.

Michelle Madoff:

Where in the 14th Ward?

Mr. Pollock:

I call it the Homewood area, right off of Fifth Avenue down near Thomas Boulevard.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 656

Report of the Committee on General Services for April 9, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 535

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of an X-Ray Machine for the Department of General Services, Code Account 4-30-01-0001-86, Index Code 370320, Miscellaneous Equipment for City Departments for payment thereof."

Which was read.

Also,

Bill No. 536

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of Multi Station Exercise Machines for the Department of General Services, Code Account 4-30-01-0001-84, Index Code 370304, Miscellaneous Equipment for City Departments for payment thereof."

Which was read.

Also,

Bill No. 545

A Resolution entitled, "Resolution amending Resolution No. 171, effective March 11, 1986, entitled: 'Providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing and delivery of twenty (20) Lawnmowers and fifteen (15) two/four wheel tractors for the Department of Parks and Recreation, payable from Code Account 1808, Index Code 180802, Equipment, Department of Parks and Recreation, and for payment thereof,' by increasing the number of two/four wheel tractors to 20 and the amount provided to \$86,875.00."

Which was read.

Also,

Bill No. 546

A Resolution entitled, "Resolution amending Resolution No. 169, effective March 11, 1986, entitled: 'Providing for the letting of a Contract or Contracts, for the use of existing Contracts for the

furnishing and delivery of various park maintenance equipment for the Department of Parks and Recreation, and for payment thereof,' by decreasing the amount provided to \$9,345.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 657

Report of the Committee on Parks and Recreation for April 9, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 544

A Resolution entitled, "Resolution providing for the filing of an application

by the City of Pittsburgh with the Pennsylvania Commonwealth, Department of Education for a grant in connection with the Special Summer Food Service Program Project: providing for the execution of Grant Contracts and for the filing of requisitions and other data, approving the Project, providing for required assurances, providing for execution of payment vouchers or Letter of Credit and for certification of authorized signatures, and providing for the deposit of the funds in Special Summer Food Service Program account."

Which was read.

Also,

Bill No. 547

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of supplies and materials for major repairs in the Department of Parks and Recreation, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 663 Communication from Richard S. Caliguiri, Mayor, informing Council of reappointment of Frank Brooks Robinson as the joint City-County appointee to the Public Auditorium Authority of Pittsburgh and Allegheny County for a term to expire in December, 1990.

Which was read, received and filed.

Also,

No. 664 Communication from Richard S. Caliguiri, Mayor, submitting the name of Robert Ravenstahl as a member of the Board of Water Assessors.

Which was read, received and filed.

Also,

No. 665 Resolution that the appointment by the Mayor of Mr. Robert Ravenstahl of 24 Radium Street be and the same is hereby approved and confirmed as a member of the Board of Water Assessors.

Which was read.

Mr. O'Malley:

Move to approve.

Mr. Wagner seconded the motion.

Which motion prevailed.

Michelle Madoff:

I have several items. I would like to call to Council's attention, and I would like to request a post agenda or a hearing, whatever the President thinks is appropriate, and perhaps there might be a letter to go first to Mr. McDermott and to Mr. Gaetano. There is something drastically wrong in Denmark; there is something terribly wrong with what was done on McArdle Roadway.

I want to know how it was engineered because there is a sharp turn coming off the hill. I want to know how it was engineered so that water runs down from the top and freezes and we've had some severe, serious, serious accidents. People leaving places of employment on the Hill when one person spun around six times, was unconscious, they were going to sue us. I understand there may be a question of liability with the Port Authority pipes. I want to know why today, as I drove down, there was a boulder half the size of that desk sitting on the wall that rolled off the top on the right hand side coming down from Mount Washington.

There is something seriously wrong with the design and the way that whole job was handled. I see people working there all the time taking some kind of measurements with some kind of telescopes; I guess they're measuring to do sidewalks and other things. I want to know why it wasn't put in the initial contract. I want to know how much more it's going to cost us because it wasn't in the initial contract, and I want to know what the serious problems are with that roadway.

I know that Mr. Wagner was working on that. Whose department is that now? I can't keep track; we change all the time.

The Chair:

Mr. DePasquale.

Michelle Madoff:

Mr. DePasquale's committee. I'm sure Mr. DePasquale will be happy to set up a hearing to get all that information but a letter first of all might be able to explain some of it. If not, I want a public hearing and I want a notice and I want people who live on Mount Washington or who use that roadway to know, Arlington people, to come and partake and find out what has happened to their tax money because it certainly was abused in that area. It's a disgrace. That's the road to the mountain which is our Niagara Falls, absolutely the show piece of the City.

I have two other items.

The Chair:

Let me make one comment while you're looking for your other items.

We had a post agenda scheduled for Wednesday and I think a number of us attended a meeting last week. We're going to have to cancel that post agenda, it's with the refuse workers, at 1:30 on Wednesday, because they are in the process of bargaining their agreement. If we meet with them, the Administration can conceivably file unfair labor practices against that union. So, would you please cancel that post agenda.

Michelle Madoff:

I have two other items. We have life rafts that are being questioned that have been put around the City on our bridges. I'd like to know what the cost of them are. I'd like a report from the Safety Department. I would say, Mr.

Wagner, that perhaps this Council should be informed say every six months whether they have been removed and whether they are still in place.

And while we're at it, could I please get an accounting from I guess it would be Mr. Jacoby, I'm not sure, what it costs us to put up the telephone system in the City that was ripped out. We've done away with it; we got sold a bill of goods that we actually had to have this telephone service outside for people to use the telephones and now they've been removed.

I want to know what it cost the taxpayers, what the dollars were. I believe it was thousands and thousands of dollars.

Mr. O'Malley:

Hundreds of thousands.

Michelle Madoff:

Thank you. I'm not finished; I have a couple of items.

The last but most important item, since I have been on this Council, and I was very instrumental, probably the motivating factor in creating a lease department for vehicles, for those members of Council who were not here at the time, we were having innumerable accidents in our Refuse Department. I went back over my records, I asked the Law Department or the Budget Department to prepare a list for us, a chart, that showed in what department accidents took place, what month they were, because when I said the accidents took place in January, I was told by the Refuse Department that it was because it was icy. I went back and found the accidents were in August and they said it was because it was hot out. Then we found that most accidents took place in

April, May, and the off-season months.

It was agreed that we put in a safety program to teach the people who use these, they're no longer dump trucks. When they have a refuse truck it's a very sophisticated piece of equipment with hydraulics. We had incidents where drivers were putting burlaps over the motors and within one week an \$80,000 vehicle was burned up. We have no insurance; we're self-insured and because of the material that was put together, Mr. Yatch created the Leasing Department. We needed cars at that time for police, the police couldn't go out, we didn't have mechanics taking care of our trucks.

Because of the bill that will come up on Wednesday that Mr. Woods is introducing on drug testing, whether people are subject to abuse of drug or alcohol, I thought it would be important if we go back over the last three years and compare where and what departments we are having claims, what amounts, what departments and what vehicles. In other words, where are the accidents taking place and what is it costing the taxpayer both in claims that are settled out of court and in repairs that are done in-house, do we have enough mechanics, and so on.

To my shock and surprise, I learned today after sort of tracking Mr. Buckley who is out ill, for months and his asking me for extensions of time, extensions of time, extensions of time, which I graciously granted to him because he was swamped and we were going through budget, it has been over six months that this Councilmember has requested a breakdown by department of repairs on, excuse me, what the claims were and what the costs were and, as you know, we get a list, under \$700 and over \$700.

We had Mr. Dan Pellegrini come to

this Council to explain to this Council and to Mr. Buckley and to the Budget Office people, that he didn't have to supply this information because indeed he sends down a sheet to Mr. Perry and Mr. Perry sends it on to Council that says a claim was settled out of court and what it was, what the accident was, so that a listing could be compiled. And that is the records that Mr. Buckley was to use. But he didn't have to give him any other information.

I hope everybody understands what I'm talking about. It's claims under \$700 that are given to us but not broken down by departments and they're claims over \$700. And, of course, that doesn't include any cost to the taxpayer in the repairs that come to us in the form of a letter and that Mr. Buckley could use that letter to give us claims over \$700.

What I learned today is that there are claims paid out of the Judgment Code, Code 46, and it is a certificate of judgment issued by the Judge. They never come to Council. They go right to Mr. Ray Johnson. I requested the last three years; they're coming off the microfiche. I want to know what additional cost to the taxpayers have we got in addition to the below \$700, settled out of court, over \$700. And I'm going to expand it further by asking whatever department deals with the repairs service of our fleet, of course I'm not terribly concerned about fire trucks and so on which are franchised out, I also understand we just hired somebody to repair our vehicles. We've contracted out or hired someone who is doing the work down at the place where we store our vehicles.

Basically what I'm saying to you, bottom line, folks, we're asked to vote, we appropriate money for the budget, we don't know the numbers because they've never been given to us and I don't

understand why it would go to the Controller without our getting a copy. So, I'd like to make a motion that, a) in all future claims ordered by the court, that they don't go directly to the Controller for payment and again they are called certificates of judgment, we get copies in this Council so we know at least what we're paying, and I would like to share with you when I get the list, it should be in my office any moment now, on the last three years of the claims that were settled.

I was told by Mr. Buckley just a few minutes before we came into Council that the big money, the biggest portion of our debt comes from that Code 46, Judgments, and we never get that information. I was sort of appalled and very, very surprised because the figures were then very distorted. We do get settlements if they don't go to court and its settled out of court, but we don't get the judgments ordered by the court. We never know if it's a large amount. If Michelle Madoff settled for a claim on her arm and the court ordered me to be awarded \$100,000, this Council would never know about it. We don't even vote on it. It just goes right down and is paid out of the Controller's Office. I think we want to know what is going on. I'm appalled, I'm floored. Did anybody else know this?

The Chair:

Michelle, it's a court order or something. I don't think it's within our power to vote on it, whether to pay it.

Michelle Madoff:

No, no, I don't want to vote. I want to be informed. I just want to know what we're paying in claims. Where are the accidents generated? What kind of programs do we need? Do we need an inebriation program expanded? Do we

need a training program expanded? Are people on drugs? I don't know. But when you look at some of these things and you take a look at the volume, the seriousness of the accident, how it happened, you get some idea, even from the \$700 under claims and the ones that are settled. But more importantly, what I'm talking about now, I'm mixing apples and oranges right now. One is where the accidents take place; the other one is the fact that we vote on taxes every year and we have really no idea of what we're paying out in claims. I would like to know that. I think everybody here would like to know that. All I'm saying is that we're not getting the information we need.

The Chair:

We know the bulk of what we're paying out.

Michelle Madoff:

No. I was told that the greatest bulk is paid in those claims.

The Chair:

But we fund that code account so we know what we're paying out, we just don't know —

Michelle Madoff:

I want to know what I'm paying for; I don't want a lump sum.

The Chair:

I see no problem with that.

Michelle Madoff:

Can I ask you the question, do you know, does any member of this Council, can they tell me what we pay in claims on Code 46, the total?

The Chair:

I don't have that off the top of my head.

Michelle Madoff:

I can tell you that for two years we paid \$4 million for the Zoo, the Aviary and the Conservatory —

The Chair:

Michelle, do you want the information?

Michelle Madoff:

Yes.

The Chair:

Did you make a motion?

Michelle Madoff:

Yes, I did.

Mr. DePasquale:

I second the motion.

The Chair:

It has been seconded.

Mr. Pollock:

Could someone please read me what the motion is or tell me what the motion is?

The Chair:

Just that we get on all the judgments, Code Account 46, that the court orders us to pay, it doesn't come through Council — Ms. Madoff wants a list of every time we have to pay out and who it's to.

Mr. Pollock:

If she will permit me to amend her motion, I would ask that we send a letter to Mr. Pellegrini requesting that upon any judgment or verdict that he send us a brief synopsis of the history of the case and the decision of the judge or whatever tribunal rendered the decision. That could be done in a couple paragraph form.

Michelle Madoff:

That would be most acceptable to me. I understand that's already done but it doesn't go to us, it goes to the Controller.

I'll second the amendment.

WHICH MOTION PREVAILED.

The Chair:

Now on the motion as amended.

Mr. Wagner:

I would just like to suggest to my colleague, Councilwoman Madoff, that I think the way we want to go here is, we want to know what the number of accidents are per department with vehicles. Recently Council passed legislation for workers' compensation. We are beginning this year in the budget for every department we will know specifically what their losses are in terms of accidents for people working in the department. I would suggest that we expand that through additional legislation to include other types of losses, equipment, vehicles, damage to property, etc., so that when we vote on the budget each year there will be a separate listing for each department, not only for workers' compensation accidents and claims paid out, but also for vehicle accidents, property damage, etc.

The Chair:

Let me do something. We just made a motion and an amendment. Michelle, I did this to you before but believe me, I'm being nice. We want this to be law, we want to make sure they send it up. Right now this is a wish of Council. You could take that and do nothing; it's just like these resolutions. Would you please draft it, introduce it, including what Mr. Wagner says here, we'll pass that and then they have to do it. Okay?

Michelle Madoff:

May I respond? I wanted to share what I learned today with Council so that everybody could come up with their ideas; I'm not married to the words. I think it's an excellent idea that we hold off and put it in writing and I'd be more than happy.

But I do want to point something out if I may. Mr. Perry, you have a copy of my last summary, the one I did when Mr. Yatch created the Leasing Authority, which does indeed do what Mr. Wagner is asking for. It breaks down by department, by vehicle, and I would like to share that with all members of Council so we have a base from which to expand. You may likely have done it, you may want to improve upon it, and therefore, when I put it together in some written form, with the help of Rick Infante, and I do want to publicly state that Rick Infante has done a phenomenal job of writing, I just want to give him a little credit there, that we can expand on it but you may like it just the way it is.

The Chair:

Okay, so we'll withdraw that motion and you'll put it in writing.

Mr. Wagner:

Mr. President and members of Council, it's been brought to my attention through the media that our request made last week to the Election Department of Allegheny County has in essence been denied due to the procedures by which it was requested, meaning that we made a request for a formal audit to be conducted of campaign expenses for calendar year '85 and under the form by which we made that request, it cannot be done.

I would suggest, and I would like to make a floor motion, that we proceed in another direction with another request. My colleague, Councilman Pollock, being a lawyer I know he knows the procedure much better than I and I would like to defer to him as to what that procedure is.

Mr. Pollock:

Section 1636 of the Campaign Expense Reporting Law, a Pennsylvania State Statute, states that any individual who has been required to file an expense account may have that report audited by the following procedure and that is, any five electors may present a petition to the Court of Common Pleas of the County in which the report was filed. The Court will then order that the Election Department certify the account back to the Court. That means present the expense account back to the Court with all the documents attached to it.

The Court will then appoint an independent auditor and the auditor audits the report. The Court or the auditor fixes a date and time at which date and time the candidate or the elected official who filed the report of which the petition is filed shall be required to be present and answer questions under oath concerning that

report and to verify the report filed.

The petitioners may request that subpoenas be issued to any parties to appear and give testimony regarding said report.

After this has been completed, the auditor will then file the audit with the Court and the Court would review this audit and if the Court finds that any part of the report was false in any substantial manner, or if the Court determines that any expenses that were incurred were done so illegally or were not valid election expenses, then the Court would certify its decision to the District Attorney and direct that the District Attorney institute criminal proceedings.

Further, the cost of the audit would be borne by the candidate or the elected official.

Michelle Madoff:

Mr. Woods, as you may recall when this issue came up, I had a motion which was defeated that we include all elected officials. Mr. Flaherty our Controller, and the Mayor, so we were not discriminating and zeroing just on Councilmembers, that everybody obey the same rules. I lost the vote so I then said I would go ahead and proceed in any event, and my information was that you needed five members of the electorate to petition the Courts. But I was also informed that if there's nothing wrong with the audit, and let's assume we did it on the Mayor or on a member of Council who had a lot of money and a lot of expenditures, and nothing was found wrong, that the five who petitioned have to pay the court costs.

I personally don't have the money but if there are five good citizens out there who would like to pay the costs of the audit, should it be found that there

were no errors, that it was a perfectly legal audit, I would ask them to step forward. And that's not really a wish because I think there are people who would do that. Somebody came up with \$5000 when we had our Water and Sewer Authority to hire an attorney for us, I don't think Council is aware of it, and paid for that because they believed we should not have a Water and Sewer Authority. The felt very strongly about it and they went out and hired an attorney in the private sector who testified before us and who was opposed to it.

I would like to further take this opportunity, if you will indulge me, to state a case which, for some obscure reason that escapes me, has never hit the media. The comment about Councilmembers spending money in off-year elections. Let's tell it like it is, folks. Mr. Givens, when I first got to Council, informed me that he had done a study, and I thanked him for it, that showed that Councilmembers spend between \$5000 and \$6000 a year on requests for items such as: This Thursday Mr. Jack Robin, the architect of Renaissance I and II is being honored. There's no way as an elected official I cannot attend that. That comes out of my political fund. When a charitable organization calls my aide and says, "Isn't Michelle supporting this community group?" That's a political contribution. When I am invited to support a charitable organization or a cultural thing in the City by virtue of my office, somebody in the private sector can be asked to support it and say they don't want to do it, but as an elected official we cannot say we won't do it. We have to lend our support.

This is terribly important. There's been so much said in the paper, Mr. Woods, that I think the public needs to understand that every year, every day,

and I will be happy to give you copies of the letters that come to our office saying that we are the so and so community group, we support you, we know that you won't let us down, and would you please buy tickets to our bingo, our Monte Carlo night? This money is going to be used for the community good, it's going to be used for supporting the orphans, buying food for those, whatever it is, and as elected officials we must be supportive of the cultural arts and of the community groups endeavors because those are the people who work for us or against us, the community groups in particular.

We don't have the option of saying we don't have the money and I don't think at \$33,800, it's a matter of public record what Councilmembers earn, that we can go into our own pockets for \$6000 and \$7000. My office has spent, in the first three months of this year, probably \$3000 and that doesn't include the fact that I went to the Opera Ball and paid \$300 out of my own pocket. If I'm going to be criticized for spending \$200 to the finest group that has the best record of dispersing money to charities overseas and the group is out of California but solicits all over the United States, then I will be subject and I accept that kind of criticism because while it is true that it may not be helping me politically in the immediate area, I think that Councilmembers must set an example of being charitable and helping children suffering from famine and who are just bones and who don't have the opportunities that we have. When political leaders and people in the community come to me and say, "Michelle, would you please help and make a contribution to this group?", I don't care if they're out of China or California, they have the best track record in this country of giving the money. Their overhead is the least of any other charitable group.

I'm telling this to the public that is listening in on cable and I'm hoping the media will pick this up and be fair. I don't mind you attacking any member of Council and if you're right, let the hatchet fall where it may. When I vote incorrectly and I have done that occasionally because I may not have understood something and I get flack, I deserve what happens to me. But I also think it's important that people understand that we spend money every year, we have fund raisers every year, and what the money is used for. And that has never once come out in the media. Not once.

The Chair:

I haven't seen the letter yet, the City Clerk hasn't gotten the letter yet.

Mrs. Masloff:

One question. It's my understanding from what I've read in the papers that if they find any discrepancy we have the privilege of filing an amended report. Is that so? So that if there's anything wrong you can file, if they find any discrepancies you just file an amended report. That's my understanding.

Mr. DePasquale:

I just want to say for the record, none of my contributors have complained. In fact, in the last couple of weeks, I've been sent contributions of close to \$4000.

Mr. Wagner:

Mr. President and members of Council, according to the Charter, we have the responsibility to legislate and investigate City government. We do that quite often for the Administration, we do that for the Controller; we must also do

that for ourselves. What I am suggesting is that if we have been denied with our previous approach and our previous way of requesting that the County Board of Elections investigate, that we proceed with an other procedure.

My floor motion would be that we would be the nine signatures that would request that the Court assign an auditor to audit our expenses and I put that on this floor in the form of a motion and I firmly believe that should be the way we go.

Mr. Pollock seconded the motion.

Michelle Madoff:

Discussion. Again, would somebody please clarify for me, perhaps the Parliamentarian or someone who is a lawyer, is it not true that what I was told by our Law Department that if indeed we request the audit and nothing is found defective, the cost of the audit must be borne by the persons filing.

Now, if Council will appropriate the funds, I'll vote for it. I have no problem with it, Mr. Wagner and Mr. Pollock, but if I have to pay it out of my own pocket it could be thousands of dollars and I just don't have the money.

Mr. O'Malley:

I think the procedure that was asked for by Council last week is appropriate procedure. If I understand it properly, this Council asked the Election Bureau to come over and do an analysis of our expenditures or an audit from the Election Bureau of our expenditures and that if they find any inappropriate expenditures they would make recommendations to Councilmembers to correct them. If they find anything that they feel is intentionally inappropriate and illegal, then they will refer that to

the District Attorney's Office or to the appropriate law enforcement agency.

Michelle Madoff is correct when she states that any five members of the electorate can ask for an audit. She's also correct when she states that if, as Mr. Pollock stated, if there is intentional mistakes in the campaign expenses, then the expense of the audit is borne by the candidate. But if there are no intentional mistakes, then the expense of the audit is going to be borne by the five signatures requesting the audit.

What we're talking about is hundreds and hundreds of dollars. Personally, I don't care. The Press spent 10 hours on my campaign, expenses. My Treasurer spent an additional 16 hours. My own accountant spent another 6 or 7 hours. I spent time on it. But if it's found that there are no intentional mistakes, then the expense, and doing 9 candidates expenses is going to run into thousands of dollars. If there are no intentional mistakes, then that expense has to be borne by those that filed the petition.

I think what this Council asked for last week was the appropriate way to proceed.

Mr. Pollock:

It's my interpretation of the act that if an elected official or candidate's account is audited and the audit of that account reveals that there are no violations and the electors, everyone was accurate, that the electors who sought that audit would pay for it. I think that this is a risk that we as public officials should take. We're the ones who have been accused of having some improprieties. I think that it is incumbent upon ourselves, since no one else is acting upon it, the Election Department was requested and we've

been informed that they have refused to act, that because this cloud hangs over this entire body that we should all put up our own funds if that may be to verify that our accounts have been filed accurately. I, for one, will be one of the electors to file a petition requesting that all nine of our accounts be audited.

The Chair:

I've stated this once, and I just asked the City Clerk, I was not informed by the Election Bureau and neither was any member of this Council informed, or the City Clerk, what actions they're going to take. It may have been in the newspaper and I didn't read it but to be very honest with you, I don't take that as Gospel. I think the appropriate thing, we sent a letter and see if we get a letter back.

Michelle Madoff:

Mr. Woods, your point is well taken but I must inform you that even though they bypassed us they said they're going to do nothing. I think what my colleagues are saying is that there is a cloud hanging over our head and I think that I, for one, welcome an audit. I have one dispersement where I said St. Francis Hospital and I didn't put the address down, I'm sorry. I have no problem with having us all checked to see if indeed we are spending money maybe in ways we shouldn't be spending because, as Sophie Masloff has said, the election law itself is so very unclear and ambiguous, that when we buy a ticket to honor somebody, maybe it isn't considered political but since time immemorial it has been that way. I don't think there has been deliberate intention on my part, I speak for Michelle only, to defraud. But if there has been by other colleagues, I can only speak for myself, a way of taking political money and pocketing it themselves, I mean, that's obviously what

we're talking about so let's put it here on the table, I think that we should not operate under that cloud.

What I was trying to do, Mr. Woods, was to say to you that everything was covered except the parameters. When you see a cartoon in the paper, a very funny cartoon, a man having dinner in a restaurant and they say, "How would you like to pay? American Express, Visa, Mastercard or your political fund?", I think the public is entitled to know that we raise money every year, what the money is used for, and I think it was important to get that on the record and again I hope that my colleagues will be fair and say that that's what we do.

I will support my two colleagues in voting to appropriate dollars that would not come out of Michelle Madoff's pocket —

The Chair:

They're going to come out of your pocket.

Michelle Madoff:

No, I'm talking about Council voting to take it out of the funds to show that the elected officials are honest or not honest. I would support that.

The Chair:

Wait a minute. You cannot take public money to audit. No way. Mr. Pollock is talking about —

Mr. Pollock:

Nobody asked that.

The Chair:

She misunderstood you, Mr. Pollock.

Michelle Madoff:

I misunderstood. Would you please clarify that?

The Chair:

You take your own money.

Michelle Madoff:

Alright. May I suggest, Mr. Woods, that we make a plea to the public for those who have the money to come up and pay for the audits? I don't have the money for the audits. So, I would like to amend that motion that we ask the public to come up, private citizens who are concerned, to pay for the audit.

I have the floor; I'd like to finish please. Can I have everybody's attention because I wouldn't want them to miss a pearly word.

The Chair:

Well, Ms. Madoff, if they want to speak when you're talking please feel free to talk because when they were talking you were talking also. Go ahead.

Michelle Madoff:

This is serious now. I am very, very serious. I would like through the media to make a public plea for those who have money who would like to see good government, have our funds checked, to please step forward and create a fund to pay for that audit. I would encourage the electorate to do that. There are people out there who have the money because it could indeed run into many, many thousands of dollars. I don't have it, folks.

Mr. DePasquale:

Mr. Woods, in regards to what my

colleague, Michelle Madoff, has said, and she is so right, maybe it's seven or eight years ago, I'm not quite sure, maybe all of you are familiar or not with Uncle Tom, Mr. Morris, who wrote for the Post Gazette. He looked at my report and he discovered that I bought some suits and I charged them to the campaign. He put me in the headlines, okay, and he also stated that was liable for two years in jail, \$50,000 fine, and I don't know what else. He just ran off at the mouth. But on page 26 that same day, there was a perverted legislator who had committed sodomy with a young boy up in a Marriott Hotel. He made page 26; I made page 1 for the suits.

Now, they were told by the Bureau of Elections that those suits were a legal expense because they aided towards my election because I made a nicer appearance. The same if Michelle bought a dress or Sophie or anybody else bought a suit. I'm only telling you it's a legalized expense. Anything that you do within reason to get elected or re-elected is a legalized expense.

It's sort of ridiculous and asinine, I'll say it one more time, for a colleague to keep saying that we should be audited, that we should be investigated. What are they trying to prove? It's over there for anybody who wants to see it at the Bureau of Elections and anything we've done wrong is right over there right now. I defy them to prove that I did anything wrong and I don't know about anybody else in this Council and I'm not going to pay for any audit for anybody to investigate me or to audit me.

Mr. O'Malley:

I think it's a form of grandstanding by some of my colleagues here because Mr. DePasquale is right. —

Mr. DePasquale:

And even now I never received an apology from Mr. Morris or anybody at the Post Gazette.

Mr. O'Malley:

I think this has to be carried one step further. This Council here is talking about the expenditures of funds that were raised. I think the question has to be asked of the candidates of this Council and maybe the Controller and other people how those campaign funds were raised. There's some members of this Council who spent an awful lot of money in last year's election. It has come to my attention that some members of Council borrowed money from the URA at low interest rates. It came to my attention that some members of this Council —

The Chair:

Mr. O'Malley, we are not going to get into personalities —

Mr. O'Malley:

I'm not mentioning any names.

The Chair:

Mr. O'Malley, you're ruled out of order.

Mr. O'Malley:

May I continue?

The Chair:

Not on that subject.

Mr. O'Malley:

What? How campaign funds are acquired by using URA funds for fixing

up your home or remortgaging your home? Let's talk about that.

The Chair:

You are out of order, Jim. That's the end of that subject.

Mr. O'Malley:

Do you want some cheap grandstanding here? I'll give you some cheap grandstanding.

Mr. Pollock:

I don't think anyone so far has raised question or exception with anything that any of my colleagues have said so far in so far as there being significant sums of money which have to be spent in off-year elections when one is not a candidate. No one has said one word about that. No one has said one word about people spending money raised legally. Certainly I, for one, would not talk about how much money is spent. But what we're talking about is money that is spent illegally and money that is spent that is not related to getting someone elected. And we're talking about money that is funneled through an expense account to the candidate with no verification of there being a loan to the Committee, with there being no verification of any receipts for that reimbursement to the candidate.

If somebody receives \$7000 from his or her expense account and puts that money into his or her own pocket or uses that money for his or her own personal use, then that's like receiving \$7000 of tax-free income. It's like receiving an increase of one's salary of about \$10-15,000 because you have the use of \$7000 without paying taxes on it.

So, I think this is something very serious and not something that should be

just laughed over or not followed to the fullest. That is why I join Mr. Wagner's motion that all nine of us be the electors who request audits of all nine of our accounts.

Mr. Wagner:

Mr. President and members of Council, as I started out I indicated what responsibilities the Charter of this City gives us. It can be broken down into two words: legislate and investigate. That is our responsibility as a body. And if we can't start with ourselves, we cannot proceed beyond that.

There's no doubt in my mind that the public image, and it was mentioned earlier, there is a cloud over the head of this Council. That exists today, it has existed last week, it existed three weeks ago, it will continue to exist three weeks from now unless this Council addresses that issue publicly.

I am not in any way suggesting that anyone and everyone on this Council, in this society, does everything right. We all do things wrong. What's importance in terms of the confidence level of the public and elected officials is that we are open and out front about anything and everything we do. And in order to improve that confidence level, we must address pertinent issue of the day. This is a pertinent issue in the City today and I feel it should be addressed by this Council. It should be dealt with up front, publicly, and in a manner in which all of us can lift the cloud that appears to be over this Council.

Now, the motion made a week ago that was suggested to the Board of Elections, and you're right, Mr. Woods, we have not received a formal request, and maybe this vote should be delayed a week because we have not received in return the formal opinion of the Board of

Elections. But, the point that I want to make is that we can't dodge this issue, and I will not dodge the issue. And if I have to pay myself to have myself audited, so be it; I'll pay for it. But I want the public to have confidence in me as an elected official; I want the public to have confidence in this Council as a group of elected officials. That must be addressed, that must be done, and it must be done as soon as possible and I am suggesting that we do it as a unified group as soon as we possibly can.

I will defer to you, as President of Council, if you think we should delay until we find out formally what the opinion of the Board of Elections is on this issue. You're right, I have not seen anything in writing also; it's only what I am reading in the media and maybe the media has been more in tune as to what is happening and they have probably received a formal opinion and we have not.

The Chair:

Well, the reason I said I didn't receive anything, the City Clerk didn't and I doubt if any of you did because some of the media articles that appeared in the Pittsburgh Press were inaccurate, and I know they were inaccurate. Some statements that were made that the reporter reported were inaccurate. And we all know that everything that you read in the paper is not accurate. So, how do we know what that letter is going to say? And that was my original suggestion to you, that before you do anything let's see it in writing from their solicitor, from Mr. Scanlon.

Now we're not going to debate anymore. We're going to call the question or you're going to remove your first and second. That's it.

Mr. Wagner:

Mr. President, I would withdraw my motion for one week and ask for a response, a formal response, from the Election Headquarters.

The Chair:

Do you withdraw your second, Mr. Pollock?

Mr. Pollock:

I would just like —

The Chair:

We're not commenting.

Mr. Pollock:

Point of order.

The Chair:

There's no point of order on this subject. The motion has been withdrawn; is your second withdrawn?

Mr. Pollock:

I think you have to realize a point of order.

The Chair:

Is your second withdrawn, Mr. Pollock?

Mr. Pollock:

Did you withdraw your motion, Jack?

Mr. Wagner:

I will along with a formal request for a response.

The Chair:

We are expecting that. That was in the letter, that we wanted a response.

Are you withdrawing your motion, Mr. Wagner?

Mr. Wagner:

Yes.

The Chair:

Are you withdrawing your second, Mr. Pollock?

Mr. Pollock:

You're withdrawing your motion along with the formal request?

Mr. Wagner:

No, I am withdrawing the motion at this time, delaying vote on my motion. I will bring it up one week from now, and in the interim period, ask for a formal response in writing from the Election Bureau.

Mr. Pollock:

Do we have to vote on that?

The Chair:

No.

Are you withdrawing your motion?

Mr. Wagner:

Yes.

The Chair:

Are you withdrawing your second?

Mr. Pollock:

And you're saying you will submit a formal request?

The Chair:

I will do it.

Mr. Pollock:

And we'll get copies of it?

The Chair:

Of course.

Mr. Pollock:

Okay, I'll withdraw my second.

The Chair:

Okay, the issue is dead.

Mr. Wagner:

Mr. President, may I bring up one other issue?

Mr. President, I would just like to formally request with our public hearing tomorrow of which we have many, many speakers, that the appropriate department heads, meaning the URA, the Planning, and the Zoning Board, be in attendance at that public hearing to answer questions.

The Chair:

One other thing, and I will announce it tomorrow when we start the hearing so we all know, we have I think 60 —

Mr. Pollock:

One hundred.

The Chair:

We have 100 speakers so we are going to break for lunch tomorrow.

Michelle Madoff:

Excuse me, Mr. Woods, with reference to the hearing tomorrow, while the former President was not one of my favorite people he did ask people to have representation for the group and if you had nothing new to add not to speak. We don't need to hear the same thing over and over and over and over again.

The Chair:

Michelle, I do that but they still have the right to speak.

Michelle Madoff:

But you understand where I'm coming from?

The Chair:

Right.

And on the motion of **Mr. Givens**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXXI Monday, April 21, 1986

No. 16

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, April 21, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

Before our regular order of business we're going to take one resolution. Mrs. Masloff?

Mrs. Masloff:

Would Mary Alice Babusci, Molly Knox, Jean Owens, Martha Friday, Adrienne Goldstein, Valerie Tutokey, and Pat Hansen come forward, please?

Mrs. Masloff presents

No. 699 WHEREAS, thirty-seven million Americans become victims of crime each year in the United States; and

WHEREAS, the citizens of Pittsburgh who become victims of crime often suffer serious financial, physical, and emotional injury; and

WHEREAS, it is fair and just that victims of crime receive assistance and compensation to help lessen the burden of these injuries; and

WHEREAS, in Pittsburgh and elsewhere, both new and well established service programs for crime victims face a threat of having fewer resources as a result of federal deficit-reduction efforts; and

WHEREAS, National Victim Rights Week, April 20-26, 1986, is an appropriate occasion to express the public's gratitude for the vital services these programs perform for victims of crime;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the week of April 20-26, 1986 as "VICTIM RIGHTS

WEEK" in the City of Pittsburgh and urges all citizens and institutions, public and private, to support the establishment and enforcement of victim's rights in Pittsburgh through participation in state and local activities commemorating those rights and to assist their local victim assistance programs in every appropriate way to continue and expand their mission to help victims of crime.

Mrs. Masloff moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mrs. Babusci:

On behalf of the five domestic violence programs, Pittsburgh Action Against Rape and the Center for Victims of Violent Crime, I want to thank City Council for your support over the years and I want to thank you for this resolution today.

I think now more than ever it is important for the public and the private sector to work together on helping victims to overcome the terrible ordeal of violent crime, be it domestic or crime that occurs in the streets.

Thank you.

Michelle Madoff:

I wonder whether any of my esteemed friends, and I consider you that, you know I've been a supporter forever, had called to your attention as I did within the last half hour the article in the New York Times yesterday about the way women are treated in the courts as witnesses and how women are treated as attorneys. Women are discriminated against as attorneys; there's been sort of a study that proves that that is indeed

fact, and that women witnesses are not considered as credible as men witnesses. Of course that plays a major role in what we're trying to accomplish together. I think that would bear some investigation to see what we could do about changing some of that.

Mrs. Babusci:

I think that certainly on the national level that's true but I think that Pittsburgh is distinguished because the conviction rate on rape in '74 was 22 percent; ten years later it is 68 percent. So, we've really come a long way. Communities are beginning to work together.

Michelle Madoff:

We've been leaders thanks to people like yourself being out in the forefront but I just think that all the discrimination against women has not ended and we still have a battle to fight.

The Chair:

Thank you very much.

At this time I'd like to recognize a former Councilmember, Amy Ballinger, who served so well for this City for so many years.

Mr. DePasquale presented

No. 666 Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company (Peter Nicholson, President) in the amount of \$6,814.50 in payment of Extra Work in connection with the Goettman Street Wall Emergency Contract, payable from Code Account EC 86-30. (PRIOR APPROVAL GRANTED)

Also,

No. 667 Resolution providing for the issuance of a warrant in favor of Thomas A. Mekis & Sons, Inc. (Kenneth L. Wolf, Vice President) in the amount of \$1,248.57 in payment of Extra Work, being in addition to the original contract price of \$3,414,646.20, on Controller's Contract No. 27595, furnished for the benefit of the City in connection with the Demolition and Reconstruction of Baum Boulevard Bridge, payable from the Baum Boulevard Bridge Trust Fund. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on Finance.

Also,

No. 668 Resolution further amending Res. No. 284, effective March 29, 1985, as amended by Res. No. 167, effective March 11, 1986, entitled: "Providing for a Contract or Contracts for the Reconstruction of Penn Avenue from Beatty Square to Penn Circle East/South, including Street Lighting, Traffic Signalization, Intersection Improvements, work on private property and other work incidental thereof; and providing for the payment thereof," by increasing the total project allocation from \$1,611,624.47 to \$1,631,624.47.

Also,

No. 669 Resolution amending Res. No. 274, effective March 29, 1985, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants in connection with asbestos and environmental quality assessment and analysis at various City facilities; and providing for the payment of the cost thereof," by providing for a Supplemental Agreement or Agreements and by increasing the total project allocation from \$20,000.00 to \$50,000.00, chargeable to and payable from Code Account EC 85-61.

Also,

No. 670 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Architectural/Engineering Services in connection with the design of and preparation of documents necessary to rehabilitate the existing No. 1 Fire Station located at 344 Boulevard of the Allies at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account EC 86-68.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 671 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for furnishing, installing, removing and relocating certain electrical equipment necessary for the Street Lighting Department within the City of Pittsburgh at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account PW 86-06, Miscellaneous Electrical Services.

Which was read and referred to the Committee on Public Works.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 672 Communication from Frank Gigliotti, Deputy Director, Department of Public Works, requesting

permission for Constance Pukanic to attend the Information Script Workshop in Rockport, Maine from June 14-21, 1986, at a cost not to exceed \$1,350.00, payable from the Community Communications Trust Fund.

Also,

No. 673 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Frank Gigliotti, John Marotto, Steven Bolar, Edward Kreuzer, Nathan Blackburn, Adam Colaizzi, Regis Senko, Paul Ionadi, John Tortorete, Maroon David, Richard Miller, Robert O'Malley, and William Rodgers to attend an On-The-Job Safety in Public Works Clinic, in Pittsburgh, PA on April 29, 1986, at a cost not to exceed \$1,300.00, payable from Code Account 1610. Use of a City vehicle is also requested. (PRIOR APPROVAL GRANTED)

Also,

No. 674 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Ralph Kraszewski to attend the League of Municipalities Conference in Seven Springs, PA from April 3-6, 1986, at a cost not to exceed \$250.00, payable from Code Account No. 1502. Use of a City vehicle is also requested. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Works.

Mr. O'Malley presented

No. 675 Resolution providing for a Contract or Contracts or to use existing Contracts for the furnishing, delivery and installation of Office Furniture for the Department of Personnel and Civil Service Commission at a cost not to exceed \$22,000.00, chargeable to and

payable from Code Account No. 1101-1, Equipment, Department of Personnel and Civil Service Commission.

Also,

No. 676 Resolution providing for a Contract or Contracts or to use existing Contracts for the furnishing, delivery and installation of a Filing System and accessories for the Department of Civil Service Commission at a cost not to exceed \$8,600.00, chargeable to and payable from Code Account No. 1101-1, Equipment, Department of Personnel and Civil Service Commission.

Also,

No. 677 Resolution providing for the issuance of a warrant in the amount of \$16,000.00 in full settlement of a claim for personal injuries to Margaret Mary Lyden, deceased, arising from an accident involving a Department of Environmental Services vehicle at the corner of Penn Avenue and Main Street in the Lawrenceville section of the City of Pittsburgh on April 1, 1985, payable from Code Account No. 46, Judgments.

Also,

No. 678 Communication from Raymond Johnson, Deputy Controller, requesting permission for Michael Parks, Steve Verbanets, Anna Marie Kapolka and Richard O'Neil to attend the Pennsylvania G.F.O.A. East & West Chapters First Annual State Conference held in Carlisle, PA from April 23-25, 1986, at a cost not to exceed \$1,000.00, payable from Code Account 1048, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Also,

No. 679 Communication from Ronald Schmeiser, Director, Department

of Finance, requesting permission for Henry Sciortino to attend the Government Finance Officers Association's 80th Annual Conference in Los Angeles, California from May 31 to June 4, 1986, at a cost not to exceed \$1,700.00, payable from Code Account 1063.

Also,

No. 680 Communication from Ronald Schmeiser, Director, Department of Finance, requesting permission for Richard Murphy to attend the North West Center for Professional Education Seminar for the Leasing of Commercial Real Estate in Arlington, Virginia from May 22-24, 1986, at a cost not to exceed \$950.00, payable from Code Account Three Taxing Bodies Trust Fund.

Also,

No. 681 Communication from Melanie Smith, Director, Department of Personnel and Civil Service, requesting permission for Barbara A. Brown to attend a two day work shop on Project Self Sufficiency in Washington, D.C. on April 21-22, 1986, at a cost not to exceed \$250.00, payable from the JTPA Trust Fund. Use of a City vehicle is also requested. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 682 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 8 by changing: From "R2" Two-Family Residence District to "RP" Planned Residential Unit Development District all that certain property located on the southeast corner of PAULINE AVENUE and CROSBY AVENUE, 19th Ward.

Also,

No. 683 Resolution approving a Conditional Use Exception under Section 993.01(a)A 33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for construction of a six-story building as a Housing Facility for the Elderly containing 52 dwelling units with parking for 12 automobiles on property located on the southeast corner of PAULINE AVENUE and CROSBY AVENUE, 19th Ward.

Also,

No. 684 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 2 by changing: From "S" Special and "R3" Multiple-Family Residence Districts to "RP" Planned Residential Unit Development District certain property located on the westerly side of MEXICO STREET between RANKIN AVENUE and FAIRLEE STREET, 27th Ward.

Also,

No. 685 Resolution approving a Conditional Use Exception under Section 993.01(a)A 33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for authorization to construct a five-story building as a Facility for the Elderly containing 52 dwelling units with parking for 11 automobiles by the Ukrainian Catholic Diocese on property located along the westerly side of MEXICO STREET north of CHIDELL STREET, 27th Ward.

Also,

No. 686 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Susan Tymoczko to participate in HUD's Project Self-Sufficiency Workshop in Arlington, Virginia on April 20-22, 1986,

at a cost not to exceed \$450.00, payable from Code Account No. CDPA. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 687 Communication from John Norton, Director, Department of Public Safety, requesting permission for twenty-seven (27) Police Lieutenants and Sergeants to attend the Police Supervisors Training Program at the Public Safety Training Academy in Pittsburgh, PA from April 28-30, 1986, at a cost not to exceed \$2,500.00, payable from the Department of Public Safety, Code Account PRIST.

Also,

No. 688 Communication from John Norton, Director, Department of Public Safety, requesting permission for John Leahy to attend the Metropolitan Chief's Conference of the International Association of Fire Chiefs in Fort Worth, Texas from May 2-7, 1986, at a cost not to exceed \$1,300.00, payable from the Department of Public Safety, Bureau of Fire Code Account DPSTPP.

Which were read and referred to the Committee on Public Safety.

The Chair presented

No. 689 Resolution transferring the aggregate amount of \$27,800.00 from Code Account 10, Accounts Payable Prior Years to Code Account 1103, Miscellaneous Services - \$15,800.00 and Code Account 1838, Miscellaneous Services - \$12,000.00.

—(SPONSORED BY MR. WOODS)

Also,

No. 690 Communication from Daniel Pietragallo, Executive Director, The Housing Authority of the City of Pittsburgh, submitting a report listing the name, position and salary of each employee of the Housing Authority as of December 31, 1985.

Which were read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 691

Report of the Committee on Finance for April 16, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 577

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carl J. Bonidie, Inc. (Carl J. Bonidie, President) in the amount of \$4,877.10 in payment of Extra Work, being in addition to the original contract price of \$48,375.00 on Controller's Contract No. 27219, furnished for the benefit of the City in connection with the Rehabilitation of Fire Station No. 7, 16, and 36; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

(MICHELLE MADOFF ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 578

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pugliano Construction Company (Angelo Pugliano, Partner) in the amount of \$355.00 in payment of Extra Work, being in addition to the original contract price of \$739,000.00 on Controller's Contract No. 27222, furnished for the benefit of the City in connection with the Building General Contract for Construction of Phase 4.1: Plaza work at the Pittsburgh Zoo; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES 1

(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 579

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Conn Construction Company (Converse Branscome, Jr., President) in the amount of \$22,144.50 in payment of Extra Work, being in addition to the original contract price of \$2,536,174.03 on Controller's Contract No. 27563, furnished for the benefit of the City in connection with the Reconstruction of the Pennsylvania Avenue Roadway and Bridge; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock

Mr. Grabowski Mr. Wagner
Mrs. Masloff Mr. Woods
 (Pres't)

AYES 8 NOES none

(MICHELLE MADOFF ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 587

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$4,903.00 in favor of IBM Corporation for specially ordered items not included on the price lists of present City contracts. Funds are available from Code Account 1045, Index Code 104505, Equipment, City Information Systems, Department of the Mayor."

Which was read.

Also,

Bill No. 588

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$9,750.00 in favor of Gondelman Baxter McVerry Smith Yatch & Trimm for legal services rendered to Robert Rade Stone, in conjunction with Civil Action No. 85-1525, filed in the United States District Court for the Western District of Pennsylvania."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mr. O'Malley
Mr. Givens Mr. Pollock
Mr. Grabowski Mr. Wagner
Michelle Madoff Mr. Woods
Mrs. Masloff (Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 589

A Resolution entitled, "Resolution providing for a Professional Services Agreement or Agreements for the provision of computer training services at a cost not to exceed fifteen thousand dollars (\$15,000.00) for the Bureau of Information Systems, City Information Systems, Department of Mayor, Code Account No. 1043, Index Code 104307, Miscellaneous Services and for the payment of the costs thereof."

Which was read.

Also,

Bill No. 590

A Resolution entitled, "Resolution providing for a Professional Services Agreement or Agreements for the provision of a needs assessment in connection with an automated activities tracking system for the Department of Law at a cost not to exceed eight thousand dollars (\$8,000.00) for the Bureau of Information Systems, City Information Systems, Department of Mayor, Code Account No. 1043, Index

Code 104307, Miscellaneous Services and for the payment thereof."

Which was read.

Also,

Bill No. 591

A Resolution entitled, "Resolution amending Resolution No. 150 approved February 26, 1986 and effective March 3, 1986 entitled: 'Providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act; providing for execution of Grant contracts for the filing of requisitions and other data; providing forj the appointment of the Private Industry Council and authorization for the Private Industry Council and the City of Pittsburgh to enter into agreements authorized by the Job Training Partnership Act; providing for required assurances; providing for execution of payment vouchers and for certification of authorized signatures; providing for a contract or contracts with various agencies/employers for services and programs related to training and employment for the Job Training Partnership Act Projects; and providing for the deposit of funds into a bank account,' by increasing the aggregate amount payable to \$2,200,000.00."

Which was read.

Also,

Bill No. 592

A Resolution entitled, "Resolution authorizing the transfer of \$2,275.00 from the JTPA-2 Trust Fund, federal funds, Index Code 260356, to the General Fund of the City of Pittsburgh to partially reimburse the City for its

payment for damages to vans used during the 1984 JTPA Summer Youth Program."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 692

Report of the Committee on Public Works for April 16, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 580

A Resolution entitled, "Resolution Repealing Resolution No. 876, effective September 1, 1982, amended by Resolution No. 456, effective June 24, 1983, entitled: 'Providing for an

Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the Reconstruction of Arlington Avenue; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Pollock presented

Bill No. 693

Report of the Committee on Planning, Housing and Development for April 16, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 595

A Resolution entitled, "Resolution providing for an Agreement or Agreements for Professional Auditing Services in connection with the 1984 through 1986 Community Development Block Grant Program and the Community Development Block Grant Program - Third Party Contracts."

Which was read.

Also,

Bill No. 596

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of City Planning to enter into an Inter-governmental Co-Operation Agreement or Agreements with the Steel Valley Authority for various administrative items, at a cost not to exceed \$50,000.00."

Which was read.

Michelle Madoff:

Mr. Woods, are any of those bills from Unspecified Local Options assigned to either the Mayor's Office or Council?

The Chair:

Not to my knowledge, no.

Michelle Madoff:

I had made a formal request, I'll try again, may I please address Councilman O'Malley?

The Chair:

No. We're discussing these bills.

Michelle Madoff:

I just want to get my list.

The Chair:

No. We're discussing these bills.

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

Bill No. 694

Report of the Committee on Water for April 16, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 539

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase of office

furniture and equipment for the Department of Water and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 695

Report of the Committee on Parks and Recreation for April 16, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 624

A Resolution entitled, "Resolution amending Resolution No. 229, effective March 31, 1986, entitled: 'Resolution authorizing the Mayor and the Director

of the Department of Parks and Recreation to enter into Agreements in individual amounts less than five thousand dollars (\$5,000.00) with various performers, instructors, artists and other persons with specialized skills in connection with the Department's various Recreational and Instructional Programs', by specifying that the Agreements are for the calendar year 1986 and by deleting any reference to an aggregate amount."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 696

Report of the Committee on Public Safety for April 16, 1986 transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 598

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article VII - Parking, Chapter 541 - General Parking Regulations, Section 541.01 - Prohibition in specified places by clarifying the prohibited parking space at a transit stop. Section 541.01 (a) (12) is hereby amended to read as follows: "Within fifteen (15) feet of a transit stop sign."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 602

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a consultant for professional services in connection with

the establishment of an Office of Professional Responsibility within the Department of Public Safety, and providing for the payment of the cost thereof."

Which was read.

Mr. Pollock:

Mr. President, I have some comments and a motion concerning Bill No. 602.

First of all, I'd like my comments from Wednesday brought forth.

(BEGINNING - MR. POLLOCK'S
REMARKS ON BILL NO. 602 -
WEDNESDAY, 4/16/86)

Mr. Pollock:

When we were at the Mayor's Legislative Agenda Conference on April 7, this legislation was submitted by Director Norton to Chairman Wagner and was not on the agenda conference. When it was passed to us at the table, it had the language that the agreement was to be specifically for Bob Coll, unless I'm mistaken.

Mr. Perry:

That was on a cover letter.

Mr. Pollock:

Right.

Mr. Perry:

Right.

Mr. Pollock:

I would assume that the amendment to the cover letter which omits the name Bob Coll was

unintentional, and I would further assume specific consultant who is being offered the contract is still Bob Coll. Well, are we not then wasting our time if Bob Coll doesn't want to enter into a contract with the City of Pittsburgh? And it's my understanding that that is in fact the case, that while he might appreciate the offer, he doesn't want any part of it, and if we approve this legislation, then it seems to me if Bob Coll is the one who was sought for this position and he doesn't want it, then with all due respect, you could go out and fill it with any other person. So, rather than us vote on this legislation that is meant for Bob Coll, I would ask that we hold it until we get testimony from Bob Coll to see if he wants this position rather than allow legislation to be enacted and it can be filled by somebody at any other time who maybe we don't want for that position. So, I would ask the Chairman to hold the legislation until we get a report from Mr. Coll.

MR. GIVENS COMMENTS

MICHELLE MADOFF COMMENTS

Mr. Pollock:

The last time I looked, in order to have a contract, you have to have two parties. If this person doesn't want to accept it, then we don't have a contract. Now, Mr. Givens has been out of town, and he hasn't spoken to Mr. Coll. Mr. Coll, from my understanding from what he said to me in this hall does not want this agreement, does not want to be a consultant. So, I think before we can pass legislation, we should have Mr. Coll at this table or have a letter submitted from him saying that he would like this position before we go out and try to find somebody to fill it.

(END OF REMARKS)

Mr. Pollock:

Secondly, I would like to place on the record some facts which are extremely relevant to Bill No. 602.

If you will recall, there was discussion concerning Bill No. 602 relative to whether this legislation was designed for one individual, namely Robert Coll, or if it was just legislation to be filled by any qualified individual if, in fact, any other qualified individual could be so identified.

Director Norton gave me his assurance that this legislation was, in fact, only meant for Bob Coll and that if Bob Coll did not accept this contract offer, that the position would not be filled. He gave me that assurance on Wednesday.

Needless to say, I was extremely disheartened and concerned when I saw in the newspaper on Friday that Director Norton stated something directly in contradiction to that and the report in the paper said that if Mr. Coll did not accept this position, that it would be filled by some other individual. Needless to say, there is a conflict in these two statements, if, in fact, the report in the newspaper was accurate and I have no reason to doubt that it was.

My point is that I would hope that before members of this body vote, and I will be making a motion prior to our voting which I hope will be passed, but if, in fact, it is not, I hope that the members of this body will consider this before enacting this legislation and will take serious heed of the fact that if any member who would vote in favor of this, as the majority did on Wednesday, is thinking that this legislation is earmarked only for Bob Coll and so want it to be only for Bob Coll and not for any other individual, the enactment of this

legislation does not carry with it that stipulation and that Director Norton, or whoever he may designate to so offer a contract to a consultant, would have a free hand to offer it to any individual and Council is then out of the picture.

So, the question before this body is, today, does Council want to put forth legislation to have a consultant hired at the rate of \$26,000 for six months, to any individual and then leave it at that and give Director Norton or whoever a free hand to identify that individual for that consultant contract.

Having said that, I would make a motion to recommit this legislation to Committee for further analysis, discussion, and research to determine if, in fact, only Bob Coll is to be offered this consultant contract and if, in fact, Bob Coll desires this consultant contract and if, in fact, Bob Coll does not want this consultant contract, that this legislation be tabled permanently. Do I have a second for my motion?

Mr. O'Malley seconded the motion.

Michelle Madoff:

Discussion. I was going to make the same kind of comments that my colleague, Mr. Pollock, has made but I was going to take a different tact. This morning, as we all know, a new Police Chief was —

Mr. DePasquale:

Mr. President, if I may —

Michelle Madoff:

I'm on the recommitment. I am on the issue of recommitment.

The Chair:

Gretchen, on a recommittal you can discuss; am I correct?

Parliamentarian:

I it is seconded you can discuss it.

The Chair:

Okay. Ms. Madoff?

Michelle Madoff:

As we all know, this morning a new Chief of Police was appointed and his name, as you know, is Mr. Moore. He is now Superintendent Moore, I believe that's the correct title.

In his opening remarks, he made the comment that he had already talked to people about getting some help. One of the people he talked to about getting help was indeed Superintendent Coll. In most corporations and in most business operations, there is an orderly transition, a period of changing hands on the job and learning what has happened before because Mr. Moore said today himself that he'll have a lot to learn about the new job.

It would seem to me that Bob Coll, having received accolades from us at the last Monday meeting, would certainly be in a position to help in an orderly transfer and help the new Police Chief who is obviously Mr. Moore. Originally, this bill came in with Mr. Coll's name on it and that name was taken off. It would seem to me that the proper way to proceed would be to put Mr. Coll's name back into Bill 602 to hire a consultant. After all, there's no reason why Mr. Coll who is going into the business of consultanting now, into the private sector as a consultant in the field of security, should not be paid for his

services in that transition time. As a matter of fact, many corporations, when they hire a new president or a new director will have two people, they pay both of them, the new person coming in while they're learning and the one going out, while they're going on to perhaps another job.

So, I would strongly suggest that we don't keep batting this back and forth and putting it back into Committee and taking the time and just put Mr. Coll's name back in. We vote it up or down. If Mr. Coll doesn't take the job, so be it. If he does, Lord knows, we need the input of the man who we've all applauded and felt he has done an outstanding job.

Mr. Wagner:

Mr. President, my first question would be, and I suspect we could know this from the Parliamentarian, I don't believe it's possible to put a name in this legislation according to our procedure for contracts. Is that correct?

The Chair:

I believe we can do it.

Mr. Wagner:

We can do it?

The Chair:

Yes.

Mr. Wagner:

Okay. The next point I would like to make is that, well first of all, I'd like my comments brought forward from last Wednesday's meeting for the record.

(BEGINNING - MR. WAGNER'S
REMARKS ON BILL NO. 602 -
WEDNESDAY, 4/16/86)

Mr. Wagner:

Councilwoman Madoff, if you will recall, 1st week there was a news release by the Mayor of the Police Chief leaving our City. In that news release, it indicated the individual would be considered for consultant position. And this legislation pertains to two items. It is a consultant to assist in the transition of the office of Chief of Police and the same individual or individuals would assist in the development of the Office of Professional Responsibility which falls under the Assistant Director of Public Safety.

MICHELLE MADOFF COMMENTS

Mr. Wagner:

I'm objecting to the legislation.

MICHELLE MADOFF COMMENTS

Mr. Wagner:

This Council has funded at great length millions of extra dollars into the Department of Public Safety to hire new personnel, confident personnel to fill the positions which we have funded. What we are now saying with this legislation is that we want to assist the individuals that are filling those positions in performing their duties in the position during that transitional period.

I personally feel that if we are hiring confident people to fill those positions, they do not need assistance from other individuals to know how to meet the job duties of those positions. Just to reflect a little bit on the consultant contract that we approved for the Bureau of Police to evaluate the Bureau of Police, we are in essence

adding onto a consultant contract which this Council approved last year, an additional \$26,000 to assist in the Chief of Police Office, and in addition to that, the area of Professional Responsibility. We do not need any more consultants in the Department of Public Safety. What we need to do is to simply move forward in the right direction to address the problems that were brought to our attention when the Public Safety Department was formed.

MICHELLE MADOFF COMMENTS

DIRECTOR NORTON COMMENTS

MICHELLE MADOFF COMMENTS

Mr. Wagner:

Well, if I may comment. Director, I don't want to get into a disagreement at this table because obviously we have had a few disagreements in the past, and I would rather not talk about this one here at this table. However, I could talk at great length if you want to talk about it, and I totally disagree that the purpose is for assistance in the area of Professional Responsibility because I know only too well what the original letter said that was sent to the President and members of Council. And each member of this Council received that letter. I would appeal to my colleagues that this \$26,000 is not needed in the Department of Public Safety.

Director Norton was approved by the Mayor and he was confirmed by this Council. He has hired an Assistant Director. He has appointed a Chief of Police in place of another Chief. Your department is in the process of filling many positions, and this Council has every right to believe that the assignments and positions that you fill will be with confident people.

The taxpayers should not be burdened with an additional \$26,000 in money to assist those people. This Council does not hire a consultant when a new member of Council is elected to consult with the Councilman. Other Departments in this City, when we fill new positions that we find, we do not hire consultants to assist those individuals. We hire confident people to fill those positions. The same situation exists in the Department of Public Safety, and I highly recommend not to approve this legislation for that reason.

Members of Council, there was a previous letter. The previous letter was changed at my request to Director Norton. Prior to changing the previous letter, Director Norton and I had a discussion that I would support this legislation if in fact the previous Director wanted this position because I felt that he was very confident. I have had a lengthy discussion with him, and he in no way ever requested or asked or has indicated that he would accept a consultant position with the City of Pittsburgh. For that reason, I am stating quite frankly that I have investigated this to great degrees, and I know the situation. If in fact the legislation is passed and that scenario is correct, which I firmly believe that it is, another person can be chosen as another consultant. Now, we have a consultant right now working, evaluating the Police Bureau in this City. There is no reason that if we need a consultant to evaluate the Police Chief position in the area of Professional Responsibility in which a great portion pertains to police work, that that present consultant on duty that has not yet completed 50 percent of their consultant report cannot address this situation. It is within the realm of the responsibility of that contract that they can evaluate these positions and assist in direction for a person within that position.

We are placing consultant on top of consultant and I am strongly recommending to this Council that the morale of this Police Bureau does not need another consultant, and I have requested an interim report on the consultant that we initiated, this Council approve and voted for, and I approved and voted for. I have yet to receive a report. And while we are talking about another consultant on top of that, I strongly recommend that we do not approve this legislation.

(END OF REMARKS)

Mr. Wagner:

I don't think there is a need to continue to determine or evaluate whether or not we should have a consultant for this purpose and I think it's clear cut. I think this Council should vote on that today, up or down, and the reason being that I firmly believe we don't need consultants for transitional periods for directors, especially due to the fact that we have funded a new department to a great degree with taxpayers' money, with many new positions, to the point where the Safety Director of this City and the Chiefs that report to the Safety Director, have more than adequate help in terms of people working for them to help them in those positions. We hire competent people, we promote competent people; we do that for that reason. And the reason should be that they move into that position and do the job which we feel they're capable of doing.

For that reason, I cannot support holding this legislation at this point.

The Chair:

I'd like to make a suggestion if I can. I know many of us are interested in seeing that Bob Coll gets this. If you

would, those of us that want to see him get this contract, I can't make a motion, I wish that you would defeat this motion to recommit and, Ms. Madoff, make a motion to add his name to it after that is defeated, and then we vote on that, then we vote it up or down that way.

Michelle Madoff:

May I make a comment, Mr. President? I think your point is well taken and I would hope that the Councilmembers would heed your thoughts and vote accordingly.

But in response to my colleague, and one of the things that I respect about Councilman Wagner is that we can disagree without being disagreeable and he doesn't fine me, and that is that there is no question that everything he just said, that there is so much money and so many new positions at stake, we're talking about hundreds of thousands of dollars that for us to not insure whatever we can absorb and retain from the good work that Mr. Coll did, to reinforce that financial commitment that we've made, would be foolhardy, that indeed, if we for a pittance of \$26,000 and a budget of \$180 some million, could get the input of all the years of experience for Mr. Coll to have an orderly transition to know some of the things that have happened so that we can approve upon them or go on from them or for whatever reason that Mr. Coll was not allowed to do what he may have wanted to do or whatever his shortcomings may or may not have been, there were many, many superb things that Mr. Coll did as Chief of Police and we ought to incorporate those things and make it easier for Mr. Moore who stated today that he has a lot to do to learn on his job.

And I might point out, I hire a new administrative assistant, she could be the most brilliant person in the world, and I

think she is, but it takes time to learn and you learn by being there and having someone help you. And I think that is exactly the same situation we find ourselves in with Mr. Moore. Anything that we can get from Mr. Coll to help us would be beneficial.

Mr. Pollock:

If what the President said is legal and if we can do that — Are we getting a ruling that we can't do it?

The Chair:

We can do it. Trust me on this one.

Mr. Pollock:

Ben, you can do anything you want in this City, I know that.

I withdraw my motion.

Mr. O'Malley:

I withdraw my second.

Michelle Madoff:

My motion is to amend the bill to include that this consulting job would go only to former Superintendent of Police, Robert Coll.

Mr. Pollock seconded the motion.

Mr. Grabowski:

Discussion on the motion. If you will recall, the rules of Council state that no amendments shall be honored unless they're in writing, and I believe that's 24 hours before the meeting.

Mr. DePasquale:

Steve's right.

The Chair:

Wait a minute. We argued about the amendment and I'll tell you what it was, it was on the pay raise because we had to balance the budget. We are not talking about balancing the budget here.

Mr. Grabowski:

Mr. President, the rules do not state whether it's a budgetary item or not. The rules are specific; all legislation.

Mr. Pollock:

Mr. President, if I can respond, I think we're at the same place as we were before which says that it must be in writing before the vote on the bill. So, if we can recess --

The Chair:

No, I'm not going to do that this time.

Steve, I honor your request.

Mr. Perry, I'm sure that this Council can vote on a cover letter requesting that Mr. Coll be the consultant.

Mr. Perry:

Is that cover letter or legislation?

The Chair:

The cover letter.

Mr. Perry:

The cover letter won't mean anything.

The Chair:

I understand that.

Michelle Madoff:

I want it to mean something.

Mr. DePasquale:

Mr. President, before this thing becomes moot, let's check and find out, is Mr. Coll on pension or has he applied for pension?

The Chair:

No, not yet.

Mr. DePasquale:

Well, I think you're all aware that you cannot receive a pension from the City of Pittsburgh and still work for the City of Pittsburgh. In effect, a consultant will be working for the City of Pittsburgh, for the Police Department.

Now we say that Mr. Coll has resigned and did not apply for his pension and now is coming back on the City payroll as a consultant.

The Chair:

He hasn't applied for his pension, that I know of.

Mr. DePasquale:

Okay, then he can come back as a consultant. But if he's going to be drawing his pension, he cannot be a consultant to the City of Pittsburgh any more than I could have come back and kept my pension as a City Councilman.

The Chair:

Right.

Michelle Madoff:

If there is a problem in amending the bill because we're going to stand on protocol which has always been used against the one person on this Council who is female and is outspoken, and that's when I make a motion to amend a bill it, "Oh no, we have to have it in writing for 24 hours". I've never understood that. In all the years we've been here, not to keep us handling the same bill 90 times over and over again, someone makes a motion to amend, we second it, we're dealing with the business of the day and that's the way it should be. And if that is not the way it should be then I will challenge the Chair on the issue of having to put this particular item in motion, that we get enough people to overrule then we can go ahead and put it on. So, if there is a will to put it on today we can do that. It's a matter, if necessary, of challenging the Chair and getting the majority of the votes to say let's put it on today. That is the legal way around that issue.

Mr. Pollock:

I really don't think that the future of the civilized world as we know it today hinges on whether we vote on this today or next Monday and I'd be content to allow it to wait for another week until we can have the proper legislation before us, as Mr. Grabowski pointed out, as far as the rules go.

But I do want to clear something up because I think that Mr. DePasquale did represent something inaccurately. I think that Mr. Coll, by becoming a consultant, does not go on the City payroll and that he would be permitted to receive his pension and still be a

consultant to the City. I think the preclusion about receiving a pension and being on the City payroll is different than somebody receiving a pension and being a contractor to or for the City.

The Chair:

To simplify this, and please, let's do this because we keep saying the person's name over and over again, make a motion again to recommit --

Michelle Madoff:

I have a motion on the floor and I have a second.

The Chair:

No. I had to rule that out of order and just so we go by Council rules we all agreed that we're going to try to stick by the rules of Council as written and I agree with you but, like you said, one week isn't going to hurt anything and we can amend it at Wednesday's meeting. Let's recommit it until Wednesday afternoon's meeting.

Okay, it's been moved and seconded.

Mr. Wagner:

Mr. President, what is the motion on the floor?

The Chair:

To recommit.

Mr. Wagner:

I haven't heard that motion.

The Chair:

Mr. Pollock did and Mr. O'Malley seconded it.

Mr. Wagner:

Mr. President and members of Council, as Chairman of Public Safety, I strongly suggest that we vote on this piece of legislation. This piece of legislation is a consultant contract. I don't believe with or without an amendment we should be determining whether or not this piece of legislation is necessary. It should be willing to stand purely on its own; if we need a consultant, we move forward to obtain a consultant. For that reason, I would like to see this Council move forward on it today.

As you all are aware, we have a \$90,000 consultant contract in existence right now within the Police Bureau. Do we want another consultant contract within the Police Bureau? We funded that Bureau to the tune of over a million dollars in terms of additional staffing with the creation of a new Public Safety Department. Now, how far are we going to go?

I also attended the news conference this morning with the promotion of Mr. Bill Moore to Police Chief. Mr. Moore clearly indicated at the news conference that he will rely on his staff in the transitional period. True, he did indicate that he spoke with Mr. Coll also but he indicated that he would rely on his staff, his immediate inspectors, commanders, assistant chiefs, etc.

I would like to see us, Mr. President, vote on this piece of legislation today. If someone wants to make an amendment, there's no reason in the world why that amendment cannot be put in writing in a matter of two or three minutes and vote the legislation up or down.

The Chair:

Well, I'd like to vote on it also, Mr. Wagner. We're not going to put it in writing five minutes before we're going to vote on that subject. We're going to go by Council rules which says 24 hours and that's what we're going to do.

Michelle Madoff:

Mr. President, I think what has happened here today has very clearly focused the need to really go back to why Council rules were the way they were for many, many years in certain procedures where they function very well.

If a body is going to handle something over and over and over again, we're ineffective, we're inefficient. I don't want to go into detail, but just to quickly summarize, if you've got an additional million dollars invested in the Police Department, all the more reason why we should have the best person give us the consulting in an orderly transition period.

We have different rules for different people on this Council. I think the rules should be what is expedient in being good government. If we have a bill where you need a small amendment, we're going back to an original bill where something was taken out and put back in, it shouldn't be because of the person making the motion, it should be because it's the orderly way to do business. I don't think it's efficient and orderly and I agree with my colleague, Mr. Wagner, to go back and put this bill of again and again and again because we're not running a tight ship or an efficient ship doing that. We shouldn't have to deal with this bill again; there are other important things we have to deal with. I, for one, would support, if necessary, doing it in the orderly fashion of

challenging, because you're in the bind of having to say alright, if it's 24 hours, it's 24 hours, and I can challenge, that's legal, the Chair, and we vote to override in this instance and we go with the bill today and we resolve it. Or we sit in our own meetings and change that rule that we can amend bills under certain conditions.

The Chair:

But the thing is, we all knew who we wanted there, it was discussed, we should have changed it at the table.

Michelle Madoff:

I didn't change it.

The Chair:

No one did, that's my problem. We all assumed and I would still go on that assumption, I didn't read the article.

There's a motion on the floor and it has been seconded. On recommittal, I would suggest, like Mr. Wagner, that we don't recommit it, only he wants it voted down after that. I want it voted up because I know, I'm pretty sure and I think we all know who is going to get that contract.

Roll call vote on the recommittal for one week.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. O'Malley
Michelle Madoff	Mr. Pollock

AYES 4

NOES 5

VOTING NO:

Mr. DePasquale	Mr. Wagner
Mr. Givens	Mr. Woods
Mrs. Masloff	(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

Now, on the bill as written, roll call vote.

Michelle Madoff:

Do you want to explain that, please, to everybody?

The Chair:

If you're in favor, you're voting on the bill, if you're in favor of this consultant bill you vote yes.

Mr. Pollock:

I have a comment on the bill itself.

The Chair:

I'm sorry, Mr. Pollock. I thought that you did that in the beginning, you had your remarks brought forward and then —

Mr. Pollock:

Well all my remarks were preparatory to my — I want to make sure, this is very important and I hope I can have my colleagues' attention, that if we

vote this legislation up without any amendments, we're losing the right to designate who receives it, it's going to be out of our hands who can be this consultant, and a \$26,000 contract is floating around for someone else to fill with whoever he or she may choose to fill it. Think about that when you vote.

The Chair:

I ask my colleagues to vote aye for this bill because I think we all know who is going to get that contract. Call the roll.

Mr. DePasquale:

Aren't we under discussion?

The Chair:

We're finished. We're ready to vote now.

Mr. DePasquale:

We haven't had discussion yet.

The Chair:

Yes we did. Do you want to add something else?

Mr. DePasquale:

I want to discuss it, yes. I want to know why some of my colleagues continue to say that the only way we'll pass this bill is if Coll gets the money. What are we giving him, some kind of bonus or reward or what? Why does it have to be Coll or else the bill doesn't sail? I'm a little curious. What's it all about? Can anybody tell me? Why do we have to give Coll \$26,000 and nobody else gets it?

Michelle Madoff:

I think I speak for those of us, like yourself, Mr. Woods, who feel that there would be advantages, and I'm repeating myself, obviously; being female, sometimes members of Council who are not of the same sex don't listen. My understanding is that Mr. Coll has been a very good director who is gone but he has valuable information that would be very helpful to Mr. Moore in an orderly transition. This happens in all businesses, it happens in government. Frequently two people are paid for the same job during the transition period, and we have, as my colleagues pointed out, millions of dollars invested in this new department, we have a \$90,000 study. To do anything to make this a better department, to get whatever knowledge we can get from Mr. Coll for a mere \$26,000 in a \$180 million budget would be a good investment.

I for one would like to put the name of Mr. Coll back in. It was taken out against my wishes when we discussed it earlier. I lost that battle. Now we're all willing, those of us who want the bill to go through, to put it in but because it wasn't done in 24 hours in writing, we're talking about recommitment and recommitment has failed, which means, indeed, if we vote for it that bill can be filled by anyone but I'm being told privately that indeed this won't go to anyone but Mr. Coll.

So, those of us who want to support the transition and the knowledge that has been acquired over all these years, from Mr. Coll to Mr. Moore, are in the awkward position of having to devote a pig in a poke, as Mr. Pollock has said, to vote for anybody with this contract floating around without being specific. We can do what Mr. Wagner said and we can attach a bill that it is our wish and it is our understanding that it would be Mr.

Coll but that still means there's a \$26,000 contract floating around that can go to anyone and I don't know how to vote on that. I have a real problem with it and I suggest we recommit it then for one week.

Mr. Pollock:

The vote failed on the recommitment.

Mr. Wagner:

Mr. Woods, may I have one final comment? Mr. Woods and members of Council, as I indicated at last Wednesday's meeting, I have researched this particular piece of legislation, not only within the Police Bureau but also with the individual former chief that has been suggested as being the recipient of the contract. It is to my knowledge that this individual does not want this contract, has never sought this contract.

This piece of legislation was introduced at the Mayor's Conference Meeting. It was unnecessary, due to a duplication of consultant contracts that exist that I have indicated earlier.

The bottom line here is, we're dealing with \$26,000 of taxpayer money. Should we spend \$26,000 of taxpayers' money if there's no need to spend it? That's the issue. That and that alone. And, as I've indicated earlier, for various reasons, we do not need to spend \$26,000 in taxpayer money.

Many of you have talked about consultant contracts in the past, the fact that we need some and we don't need some. And I would simply ask all of you to look at it in that vein. Do we need this consultant contract? And if we do, vote for it; if we don't, vote against it. I strongly recommend we vote against it.

Michelle Madoff:

Point of order. Clarification. If we vote for this bill, there's no guarantee that it will go to Mr. Coll, is that correct?

The Chair:

That's exactly right.

Michelle Madoff:

And if we don't vote for it we're keeping him from getting it because I believe that we should use —

The Chair:

What is your point?

Michelle Madoff:

We're in a catch-22, that's my point. How do you vote?

The Chair:

That's not a point of order. Call the role.

Mr. Givens:

I'd like my remarks brought up from last Wednesday.

(BEGINNING - MR. GIVENS' REMARKS ON BILL NO. 602 - WEDNESDAY, 4/16/86)

Mr. Givens:

Mr. Chairman, I have been very close to the Public Safety issue since I have been a Councilman for some 11 years, and the Public Safety Department has been created, and I really want to see that thing move forward as quickly as possible right now.

The fact that we are talking about the Office of Professional Responsibility, that is a key administrative position and one that should be filled by a police officer. All of us in the City always criticize the Director in some cases when we don't hire from within or somebody from the City of Pittsburgh. We're talking about pre-employment in an area that has been dear to all of our hearts, on the quality of the police officers the City of Pittsburgh is going to hire. We need to get into the 20th Century, and we need to get a model and start acting on that model so we can get the finest police officers this City population can get us.

On the other side, we are talking about evaluation and investigation, another extremely sensitive area to the Director here and who is going to handle that particular internal procedure. If anything, John Norton came in here and was hit with a brand new organization that probably would take several years in any department to build up to that speed. I'm asking that it be built up as quickly as possible.

I'm supporting this bill, 602. In fact, we are getting the best expertise that we can get; a person who on his own accord, apparently, has retired from the City of Pittsburgh after serving this City for many, many years. And now, exactly the type of work that someone in his capacity wants to do. He wants to be a consultant for and he wants to be able to do certain things. And this is a very sensitive area, and I think if it is Bob Coll who in fact gets this particular contract, I think he's going to be able to move into that and bring this office up to speed in the most expeditious way possible. For that reason, and that reason only, I want to vote for this particular thing and please don't delay it because it's going to delay the professionalism of the City of

Pittsburgh.

(END OF REMARKS)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 6 NOES 3

(MR. GRABOWSKI, MR. POLLOCK AND MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 697

Report of the Committee on Engineering and Construction for April 16, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 581

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or

Consultants for Design and Construction Inspection Services in connection with Reconstruction of Arlington Avenue from East Carson Street to East Warrington Avenue; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Grabowski presents

No. 698 WHEREAS, the Polish National Alliance of the United States is holding their 40th National Bowling Tournament in Pittsburgh on Saturday, April 26, 1986, at the Noble Manor Lanes and Bowling City; and,

WHEREAS, over 1,200 men and women from various states throughout our nation will be in Pittsburgh this week to compete in this Tournament, renew friendships; and,

WHEREAS, Pittsburghers will host luncheons, open houses, and other hospitable gatherings to welcome these Polish-American bowlers and their families to the Most Liveable City in America; and,

WHEREAS, the distinguished Aloysius A. Mazewski, President of both the Polish National Alliance and the Polish American Congress for the past several years, will be in Pittsburgh to lead this celebration of Polish heritage, comradery, and athletic competition;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh proclaim the week of April 20 - 26, 1986 as "PNA Bowling Week" in the City of Pittsburgh to recognize and welcome the several hundred Polish-Americans from throughout the United States who are participating in this festive occasion.

Mr. Grabowski moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mrs. Masloff and Mr. O'Malley present

No. 700 WHEREAS, the City of Pittsburgh has recently developed as a mecca for road racing as evidenced by its Great Race, the Pittsburgh Marathon, numerous 10 kilometer races in our neighborhoods, and a NCAA Division III Cross Country Championship Team at Carnegie-Mellon University; and

WHEREAS, the City of Pittsburgh contributes \$350,000.00 in direct and indirect support for the Pittsburgh Marathon; and

WHEREAS, the citizens of the City of Pittsburgh, in response to a world-

class sporting event conducted in their neighborhoods, have organized numerous hospitable events including pre-race pasta dinners, dances, food festivals, a children's marathon, and many other community activities; and

WHEREAS, Pittsburgh's special topography and picturesque rivers present a unique visual backdrop for a major road racing event; and

WHEREAS, Pittsburgh's business community led by United States Steel, in the successful tradition of public-private partnerships responsible for so much of Pittsburgh's growth and success, has underwritten our marathon and helped make the event part of Pittsburgh's charm; and

WHEREAS, the Pittsburgh Marathon is conducted entirely within the same neighborhoods which make Pittsburgh America's Most Liveable City;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby request that the Men's Long Distance Running Committee of the Athletics Congress select Pittsburgh as the site of the 1988 Men's Olympic Marathon Trails; and

BE IT FURTHER RESOLVED, that the Committee be invited to visit our City to witness our 1986 Marathon and share our pride and enthusiasm for one of Pittsburgh's most exciting civic events.

Mr. O'Malley moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

The Chair:

I have an appointment of a member

to a committee, Mr. Pollock to the Neighborhood Fund Board.

Mr. Pollock:

Thank you.

Michelle Madoff:

While we're on that subject, when you're appointed to a board, aren't you sworn in to the board at some point?

The Chair:

No.

Michelle Madoff:

I was appointed to the Leasing Authority and I understand you're supposed to be sworn in to that committee. My term runs out at the end of December of this year and since it's been eight years and this is my first appointment I would urge the President of this Council to find out whether that was really an appointment or whether that was just some kind of magic trick.

I also would like to ask another question. In the event that Mr. Coll, his services obviously are going to be needed as soon as Mr. Moore takes over which is imminently, like today, say within a month, if that contract is not in the works to Mr. Coll, can we then line item that or somehow — What can we do to transfer that money to another account? Could it be transferred to another account for something else?

The Chair:

No.

Michelle Madoff:

It has to sit there all year unused, become surplus. Who is to say that that

money can't be requisitioned for some other needy service? We do it all the time, we transfer money from one account to another.

The Chair:

It's a bill now that's there for two years or to the end of this reorganization period.

Michelle Madoff:

But don't we ever take money out of one account to another, when it isn't being used?

The Chair:

Many times.

Michelle Madoff:

Well then it's very conceivable that if that contract is not filled by Superintendent Coll some other need that might be in the City, that we could say yes, take it from that money and indeed that would take care of the problem. You just told me yes, you can do it and now you're saying no, you can't do it.

The Chair:

We have no choice; that's Public Safety money. That's where that's coming from.

Michelle Madoff:

But I'm sure there are other needs in the Public Safety Department that could use the money.

The Chair:

Right and they're budgeted that money. If they find another use for it and don't want to use it, I'm sure they

could use it.

Michelle Madoff:

Fine. So the Public Safety Director, if that job is not filled by Superintendent Coll, has the right to come back to this Council and say, we have a need for racks on the bridges to save people or a canoe, and he can say let's take the money of that account, because it wasn't Coll, it wasn't used, we want to transfer that money out. I just wanted to get that clear.

Mr. Wagner:

Just to follow up on my colleague, I think she's bringing up an excellent point. If the dollars are not used by the City, I believe we could amend the legislation and apply it to another type of consultant in the area of the Police Bureau and Public Safety. One of the areas we could possibly do that is the Narcotics Task Force, to address the number one crime problem in this City. So, I think it's important that we stay on top of that and see if the dollars are utilized.

Mr. Pollock:

On another subject, and it's come up earlier today and several times in the past. I would ask the President to appoint, if he and the other members of this body are so willing, a sub-committee to examine our Council rules to see if there might be amendments to them. It's been over eight years since they've been adopted. I would think that Mr. Grabowski should definitely be on that committee, I would love to serve on that committee, and I think it's time that we do look at them to see which ones are outdated, which ones can be changed and so forth.

Mr. O'Malley seconded the motion.

The Chair:

I'll look into it.

Michelle Madoff:

You'll look into what? Whether you're going to appoint a committee?

The Chair:

Yes.

Michelle Madoff:

Could we do that as an official motion and have Council move on it?

The Chair:

The Chair has the prerogative to appoint committees.

Mr. Pollock:

I would like to be on that committee if you do.

Michelle Madoff:

And I would just like to make recommendations.

Mr. DePasquale moved to approve the Minutes of Monday, March 10, 1986.

Mr. O'Malley seconded the motion.

Which motion prevailed.

And on the motion of **Mr. DePasquale**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX Monday, April 28, 1986

No. 17

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, April 28, 1986

PRESENT:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods (Pres't)

ABSENT:

Mr. O'Malley

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. DePasquale presented

No. 701 Resolution providing for a Contract or Contracts or use of existing Contracts for the Fabrication and Erection of a Modular Office/Maintenance Building for the Department of Public Works' Asphalt Plant at a cost not to exceed \$115,500.00, chargeable to and payable from Code Account EC 86-30.

Which was read and referred to the Committee on Engineering and Construction.

Mr. DePasquale moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 702 Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company (Charles DiNardo, Vice President) in the amount of \$42,473.43 in payment of Extra Work, being in addition to the original contract price of \$208,292.50 on Controller's Contract No. 27831, furnished for the benefit of the City in connection with the Penn Avenue 20" Cement Lining Project, payable from Code Account PW 83-17.

Which was read and referred to the Committee on Finance.

Also,

No. 703 Resolution amending the Title and Section 1, 2, and 3 of Resolution No. 123, approved February 19, 1986 effective February 24, 1986, entitled: "Permission to enter into an Agreement or Agreements with Calvary Cemetary Relating to the Construction and Maintenance of a Traffic Signal on Cemetary Property Along Browns Hill Road in the 15th Ward, City of Pittsburgh, by adding the representative of Allegheny County as a party to the Agreement.

Also,

No. 704 Resolution amending Res. No. 736, effective September 6, 1983, entitled: "Providing for an Agreement or Agreements with GeoMechanics, Inc. for Engineering Services in connection with the Design of the Rehabilitation of the Monongahela Incline Support Wall; and providing for the payment of the cost thereof," by providing for a Supplemental Agreement or Agreements and by increasing the total project allocation from \$10,000.00 to \$18,000.00, chargeable to and payable from Code Account PW 83-32.

Also,

No. 705 Resolution providing for a Contract or Contracts for Sidewalk Construction and Reconstruction at various locations in the Spring Garden Neighborhood, including work on private property and other work incidental thereto, at a cost not to exceed \$50,000.00, chargeable to and payable from the 1985 Community Development Block Grant, "Unspecified Local Options" (CC-85-01).

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 706 Resolution providing for the Repeal of Resolution No. 298 approved April 11, 1986, effective April 16, 1986 entitled: "Vacation of Congress Street from Fifth Avenue to its Northwesterly Terminus (170+ or), in the 3rd Ward, City of Pittsburgh," is hereby repealed.

Which was read and referred to the Committee on Public Works.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Also,

No. 707 Resolution providing for the issuance of a warrant in favor of Astec Industries, Inc. in the amount of \$2,599.00 in payment for the repair and recalibration of one (1) Brodie Stack that is used in conjunction with an AD500 computer and the repair to one (1) Load Cell; both repairs needed for the daily operation of the Asphalt Plant Division of the Department of Public Works, chargeable to and payable from Code Account PW 86-01, City Wide Resurfacing.

Which was read and referred to the Committee on Finance.

Also,

No. 708 Resolution granting unto Haagen-Daz Ice Cream Shoppe, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a Sidewalk Cafe in a portion of the sidewalk of Bellefonte Street in the 7th Ward, City of Pittsburgh.

Also,

No. 709 Resolution granting unto Construction Tool Service, Inc., their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Raised Planted Area and Steps on a portion of the sidewalk of 3500 Liberty Avenue in the 6th Ward of the City of Pittsburgh.

Also,

No. 710 Communication from James N. Walker, Director, Department of Environmental Services, requesting authorization for Mildred Durham and Julie Osekowski to attend the Professional Development for the Senior-Level Secretary Seminar at the Pittsburgh Airport Sheraton on June 11, 1986, at a cost not to exceed \$225.00, payable from Code Account No. 1176.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 711 Communication from George Jacoby, Director, Department of General Services, requesting authorization for Robin Smith and John Davis to attend the Vehicle Maintenance Facilities Management Workshop in Indianapolis, Indiana from May 11-14, 1986, at a cost not to exceed \$2,000.00, payable from Code Account No. 1128, Miscellaneous Services.

Which was read and referred to the Committee on General Services.

Mrs. Masloff presented

No. 712 Resolution providing for a Contract or Contracts or the use of existing Contracts for the repair of various facilities within the Department of Parks and Recreation at a cost not to exceed \$60,000.00, chargeable to and payable from Code Account PR 86-05, Repairs to Parks and Facilities, in the Department of Parks and Recreation.

Also,

No. 713 Resolution providing for authorization to enter into an Agreement or Agreements with Bedford Springs Festival Orchestra for the July 4th Evening Musical Presentation in conjunction with the Department of Parks and Recreation, Special Events & Cultural Affairs Summer Programs at a cost not to exceed \$9,000.00, chargeable to and payable from Code Account 1837, City Wide Events, in the Department of Parks and Recreation.

Also,

No. 714 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Carol Glick to attend the 9th Meeting of the American Society of Primatologists in Austin, Texas from June 28th thru July 2, 1986, at a cost not to exceed \$1,126.00, payable from Code Account No. 1852, Miscellaneous Services.

Also,

No. 715 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Herbert Ellerbrock, Zoo Keeper, to attend the International Herpetological Symposium on Captive

Propagation and Husbandry in San Antonio, Texas, from June 25-28, 1986, at a cost not to exceed \$400.00, payable from Code Account No. 1852, Miscellaneous Services.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Pollock for Mr. O'Malley presented

No. 716 Resolution amending Res. No. 209 of 1985 which authorized the Mayor and the Director of the Department of Finance to enter into an Agreement or Agreements with a professional services consultant to conduct a performance audit of the City Controller's Office, by increasing the total authorization from \$50,000.00 to \$60,000.00, chargeable to and payable from Code Account 1063, Miscellaneous Services, Department of Finance.

Which was read and referred to the Committee on Finance.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 717 Resolution providing for the issuance of a \$3,000.00 warrant in favor of Stanley & Maudine Drummond in settlement of claim for property damage loss at 199 Shetland Avenue, payable from Code Account No. 46, Judgments.

Also,

No. 718 Resolution authorizing the City Controller to enter into a Contract or Contracts, or for the use of existing Contracts, to purchase additional memory & accessories for the existing Honeywell Computer at a cost not to exceed \$45,000.00, chargeable to and payable from Code Account, CFMIS, Controller's Financial Management Information System.

Also,

No. 719 Resolution Repealing Res. No. 216, approved March 18, 1986, effective March 21, 1986, entitled: "Authorizing and directing the Director of the Department of Finance and the City Controller to establish a Trust Fund to be known as the Business Development Trust Fund (BDTF); and authorizing the deposit of funds for economic development from the repayment of funds advanced by the City of Pittsburgh to the Stadium Authority of the City of Pittsburgh."

Also,

No. 720 Resolution Repealing Res. No. 217, approved March 18, 1986, effective March 21, 1986, entitled: "Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to provide funds for the making of loans in connection with the Urban Redevelopment Authority's Business Reinvestment Fund in the amount of \$20,000,000.00, payable from the Business Development Trust Fund," is hereby repealed in its entirety.

Also,

No. 721 Resolution authorizing the City of Pittsburgh to enter into an Agreement or Agreements with The Ruhlin Company, Northshore Associates and the Urban Redevelopment Authority

of Pittsburgh, whereby the City shall grant to The Ruhlin Company the rights of entry upon, use & access across certain riverfront property in the 22nd Ward, designated as Block 8-J, Part Lot 98, for the purpose of installing, an underground drainpipe as part of the North Shore Expressway Project, at no cost to the City.

Also,

No. 722 Resolution authorizing the Mayor and the Director of the Finance Department, on behalf of the City of Pittsburgh, County of Allegheny and School District of Pittsburgh to transfer its rights, title and interest, if any, for certain Three Taxing Bodies' properties in the 24th and 26th Wards of the City of Pittsburgh to Pennsylvania Department of Transportation. Deeds to be in Quit Claim form for a total consideration of \$14,510.00.

Also,

No. 723 Communication from Dante Pellegrini, City Solicitor, requesting permission for himself to attend a meeting of the Executive Committee of the National Institute of Municipal Law Officers in Dallas, Texas on June 16-17, 1986, at a cost not to exceed \$300.00, payable from Code Account No. 1075, Miscellaneous Services, Department of Law.

Also,

No. 724 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Rose Nagy to attend the 1986 International Personnel Management Association Eastern Region Conference in Albany, New York from June 1-4, 1986, at a cost not to exceed \$950.00, payable from Code Account No. 1100, Miscellaneous Services, Department of

Personnel. (PRIOR APPROVAL GRANTED).

Also,

No. 725 Communication from Ronald C. Schmeiser, Director, Department of Finance, requesting authorization for himself to attend a subcommittee meeting on tax policy of the Committee on Governmental Finance Officers Association, to be held in Washington, D.C., May 12, 1986, at a cost not to exceed \$250.00, payable from Code Account No. 1063, Miscellaneous Services, Department of Finance.

Also,

No. 726 Communication from Edward F. Dougherty, Director of Finance, Public Parking Authority of Pittsburgh, submitting the annual personnel list of 1986.

Also,

No. 727 Communication from Tom Flaherty, City Controller, submitting a performance audit of the Street and Sewer Maintenance Division (SSM) of the Department of Public Works, April 1986.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 728 Resolution approving a Conditional Use Exception under Section 993.01(a)A(20) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, to Ellis School for authorization to enlarge the campus and construct a two-story and basement building; building at 6407 FIFTH AVENUE as school offices. The property is located on the northerly side of FIFTH AVENUE abutting MELLON PARK, 7th Ward.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 729 Resolution approving a Conditional Use Exception under Section 993.01(a)A(26) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for authorization to the Rehabilitation Institute to expand into five (5) residential structures located at the corner of WILKINS and DENNISTON AVENUES for related office space with seventeen (17) parking stalls, 14th Ward.

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 730 Resolution providing for the issuance of a warrant in favor of Seymour Graphics, 704 Second Avenue, Pittsburgh, PA 15219 in the amount of \$1,717.00 in payment for "additional pages to the 1979-84 Progress in the Neighborhood Report Books" furnished for the benefit of the City, chargeable to and payable from the 1983 Community Development Block Grant Program, Department of City Planning, "Citizen Participation & Technical Assistance" (CP 83-02).

Which was read and referred to the Committee on Finance.

Also,

No. 731 Resolution amending Res. No. 806, effective August 23, 1985, entitled: "Providing for an Agreement or Agreements with the Washington Heights Athletic Association for the City's share in the construction of a facility to be used for the organization's programs, at a cost not to exceed \$10,800.00," by changing the source of funds from chargeable to and payable from the 1985 Community Development Block Grant Program, "Unspecified Local Options", (CC-85-01) to Code Account 1103, Miscellaneous Services, in the Department of City Planning.
—(SPONSORED BY MR. POLLOCK)

Also,

No. 732 Resolution amending Res. No. 789, effective August 23, 1985, which presently reads: "Providing for an Agreement or Agreements with the Hazelwood/Glenwood/Glen Hazel Council, Inc. for the rehabilitation of a vacant public building located on Second Avenue for use as a Senior Citizens Center," so as to increase the project allocation from \$100,000.00 to \$280,000.00 and include the Department of Engineering and Construction.

Also,

No. 733 Resolution amending Res. No. 795, effective August 23, 1985 entitled: "Providing for an Agreement or Agreements with the Spring Garden Neighborhood Council and/or the Esplan Citizen's Council for capital assistance improvement programs, at a cost not to exceed \$100,000.00, so as to remove the Spring Garden Neighborhood Council and reduce the appropriation from \$100,000.00 to \$50,000.00, chargeable to and payable from the 1985 Community Development Block Grant Program, "Unspecified Local Options" (CC-85-01).

Also,

No. 734 Resolution providing for a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the Administration of the Brighton on the Park Housing Development Grant Project and further providing for the execution of an Owner-Grantee Agreement for the Project and further providing for the receipt by the Authority of \$2,399,558.00 directly from the United States Department of Housing and Urban Development for the Project. The development involves the construction of a structure to provide 101 rental units of which 27 shall be for low/moderate income individuals. This development has been approved by HUD, and is located at Brighton Avenue and Western Avenue in the Allegheny West neighborhood of the City.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 735 Resolution providing for the issuance of a warrant in favor of Air & Power Service Company, 972 Mercer Road, Butler, PA 16001, in the amount of \$362.40 in payment for repair of Air Conditioner in the Computer Room furnished for the benefit of the City in connection with the Department of Public Safety, Bureau of Police, Identification Section, chargeable to and payable from Code Account CCHSP, Department of Public Safety, Bureau of Police.

Which was read and referred to the Committee on Finance.

Also,

No. 736 Resolution providing for a Contract or Contract from time to time

in connection with the demolition and removal of condemned buildings at a cost not to exceed \$400,000.00, chargeable to and payable from Code Account Capital Project Funds, FD 86-01 Demolition and/or Sealing of Condemned Buildings, Including Site Restoration and Boarding and Party Walls.

Also,

No. 737 Communication from John Norton, Director, Department of Public Safety, amending Bill No. 648, in Council April 14, 1986, by replacing the name of John Moran with Michael McGee to attend a Results Management '86 Seminar on April 29-30, 1986, Pittsburgh, PA, at a cost not to exceed \$800.00, payable from Code Account SPSTPP.

Also,

No. 738 Communication from John Norton, Director, Department of Public Safety, requesting authorization for 36 members of the Bureau of Fire to attend the State Fire Academy in Lewistown, Pennsylvania from April 27-29, 1986, at a cost not to exceed \$4,900.00, payable from DPSTPP. Permission is also requested for use of a City vehicle.

Also,

No. 739 Communication from John Norton, Director, Department of Public Safety, requesting authorization for ten (10) employees to attend a Teleprofessionalism Workshop for Communication Clerks in Pittsburgh, PA on April 25, 1986, at a cost not to exceed \$1,000.00, payable from Code Account DPSTPP. (PRIOR APPROVAL GRANTED)

Also,

No. 740 Communication from John Norton, Director, Department of Public

Safety, requesting authorization for Police Officer Dennis Herr to attend the 14th Annual In-Service Training Conference of the International Association of Bomb Technicians and Investigators in Philadelphia, PA from May 25-30, 1986, at a cost not to exceed \$900.00, payable from Code Account DPSTPP.

Which were severally read and referred to the Committee on Public Safety.

The Chair presented

No. 741 Petition from the residents of the City of Pittsburgh, requesting a public hearing before City Council concerning the proposed Ellis School Conditional Use Application No. 557, and supporting the Larkin family in this matter. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Pollock seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Wagner for Mr. O'Malley presented

Bill No. 742

Report of the Committee on Finance for April 23, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 614

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Metz and Lautner (George Lautner, Partner) in the amount of \$5,527.01 in payment of Extra Work, being in addition to the original contract price of \$32,170.00 on Controller's Contract No. 27218, furnished for the benefit of the City in connection with the Rehabilitation of Fire Stations No. 16, 36, and 7; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 6 NOES none

(MICHELLE MADOFF ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 6152

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sargent Electric Company in the amount of \$260.00 in payment of Extra Work, being in addition to the original contract price of \$81,632.00 on Controller's Contract No. 27720, furnished for the benefit of the City in connection with the Building Electrical, Pittsburgh Zoo--Phase 4.1: Plaza; and providing for the payment thereof."

Which was read.

Also,

Bill No. 620

A Resolution entitled, "Resolution providing for the issuance of a warrant, without previous authority of law, in the amount of \$11,475.00 in favor of Motorola Communications & Electronics, Inc. for payment for the moving of command consoles and related equipment at Medic Command, due to time constraints imposed by Presbyterian Hospital. Funds are available in Code Account 1132-5, Index Code 1132-58, Radio Improvements, Department of General Services."

Which was read.

Also,

Bill No. 625

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of ABCO Fire Protection, Inc., in the amount of \$627.73 in payment for the servicing and inspection of fire extinguishers furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 7

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 633

A Resolution entitled, "Resolution further amending Resolution No. 733 of 1983 as amended by Resolution No. 548 of 1985 and Resolution No. 1201 of 1985 entitled: 'Providing for an Agreement or Agreements with various Private for Profit and Non-Profit entities to provide employment opportunities for low and moderate income City residents in connection with the 1983 CDBG Emergency Jobs Bill Program' and providing for payment of the costs thereof, by providing for the reprogramming of unspent funds by reducing the amount available for administrative costs by \$23,200.00 and by reducing the amount available for subcontracts by \$113,600.00 and by increasing the amount available for participant wages and fringes by \$136,800.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 634

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$76,000.00 in full settlement of a claim for personal injuries to Diane Verdeal Tench, deceased with plaintiff, and providing for the payment thereof."

Which was read.

Mr. Givens:

Mr. President, on Bill No. 634, within 30 days we're supposed to get a letter from the Legal Department and I'd like that so to be noted by our Council staff and be looking forward to it.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 635

A Resolution entitled, "Resolution providing for a Professional Services Agreement or Agreements for the provision of automating the Maintenance Management System in the Department of Parks and Recreation at a cost not to exceed twenty thousand and five hundred dollars (\$20,500.00) for the Bureau of Information Systems, City Information Systems, Department of Mayor, Code Account 1043, Index Code 104307, Miscellaneous Services and for the payment of the costs thereof."

Which was read.

Also,

Bill No. 636

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of property, acquired at tax sales in accordance with Act No. 514 of 1947, as amended. Properties are in various wards of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 743

Report of the Committee on Public Works for April 23, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 617

A Resolution entitled, "Resolution providing for authorization to advertise for, award and enter into Contracts or use of existing Contracts for the purchase, lease and/or installation, etc. of equipment, services, materials and supplies for the development of the City of Pittsburgh's Municipal Services Cable Channel 15 and the Bureau of Cable

Communications TV Production Facilities at a cost not to exceed \$182,000.00."

Which was read.

Also,

Bill No. 618

A Resolution entitled, "Resolution amending Resolution No. 602, effective July 20, 1984, entitled: 'Providing for a Reimbursement Agreement or Agreements with the County of Allegheny in connection with the renovation of elevator 'K' in the City-County Building; and providing for the payment of the cost thereof', by changing the renovation from Elevator 'K' to Elevator 'G'."

Which was read.

Also,

Bill No. 671

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for furnishing, installing, removing and relocating certain electrical equipment necessary for the Street Lighting Department within the City of Pittsburgh, and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

Mr. President, can you help me? There was a bill that came up the other day on a course that was to be taken at Duquesne University and I had raised the question about going to Community College. I can't find the bill. Do you know where that is?

The Chair:

Once we pass it on Wednesday, that's the end of that.

Michelle Madoff:

That kind of bill doesn't come back here before us on Monday?

The Chair:

Michelle Madoff:

Okay, then I'll address it at the end of the meeting.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 744

Report of the Committee on Planning, Housing and Development for April 23,

1986 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 316

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title

Nine, Zoning, Article III, Chapter 921; Section 921.02, Zoning District Maps

No'd. 16 & 17 by changing: (A) From "M3" Light Industrial District to "S"

Special District certain property bounded by: FINANCE STREET; NORTH

BRADDOCK AVENUE, the PATWAY and NORTH HOMEWOOD AVENUE; and, (B)

From "R3" and "R4" Multiple-Family Residence Districts; "C3" Commercial

District; "M2" Limited Industrial District and "M3" Light Industrial District to

"R2-T" Townhouse Residence District certain property generally bounded by:

NORTH LANG AVENUE; HAMILTON AVENUE; NORTH BRADDOCK AVENUE and FINANCE STREET, 13th Ward."

Which was read.

Mr. Grabowski:

Mr. President, I think all members of Council have an amendment that I

drafted to Bill 316 which is the zoning change before us in Homewood. The

amendment is designed to safeguard the rights of one business in that area and I

would ask that all Council consider this affirmatively.

The Chair:

Are you putting that in the form of a motion?

Are you putting that in the form of a motion?

Are you putting that in the form of a motion?

Are you putting that in the form of a motion?

Are you putting that in the form of a motion?

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Are you putting that in the form of a motion?

Are you putting that in the form of a motion?

Are you putting that in the form of a motion?

Mr. Grabowski:

Yes Mr. President.

The Chair:

Is there a second?

Mrs. Masloff seconded the motion.

The Chair:

Discussion on the amendment.

Mr. DePasquale:

Mr. President, last week and over the weekend I received a lot of calls from people in that Homewood area where the rezoning is planned and I haven't received one where they want that amendment or any change in the original plan. It strikes me that we're trying to favor just one party down there and to do that we're going to delete two blocks from this whole program and it just doesn't make any sense.

Mr. Pollock:

Mr. President, we held a public hearing before Council on this matter. The overwhelming testimony was in favor of the zone change as it is before Council without the amendment. The Planning Commission approved it, all of the neighborhood groups in the area support it without the amendment, we have citizen input, we have professional input from the City Planning Department, we have objective, impartial arbitrators, the Planning Commission deciding in favor of it. I don't see any reason to change this legislation in any way. To go along with Mr. Grabowski's amendment would leave two entire blocks industrial, yet they themselves have residences in them.

So, what Mr. Grabowski is

attempting to do is to protect a business from being a non-conforming use by being in a residential area and instead he's having residences be in a non-conforming use in an industrial area. So either way he goes, he's going to have non-conforming uses, non-conforming structures. Why go against the legislation? I mean, everybody wants it. It doesn't make any sense to go against it.

Mr. Grabowski:

In response to Councilman DePasquale and Councilman Pollock's comments, in fact, the intent of this amendment is to protect that one business. Right now that whole area is zoned industrial. The man that started operating that business went in there with the understanding that he could conduct business in an industrial zone. We're talking about a 20 block area, approximately, that's industrial and we're planning on changing it to townhouses. I see no real problem in excluding the two blocks necessary to protect this man who went in there with the idea that he could conduct business in an industrial zone and let him continue to do business in that same fashion.

Michelle Madoff:

I have a letter in front of me signed by Mr. Pellegrini that says it's illegal. "Since the rezoning is not in accord with the Comprehensive Master Plan and constitutes such a small parcel that it, indeed, would constitute spot zoning, it is, accordingly, illegal." So, we can't do it anyway.

Mr. Givens:

Mr. President, I think we have great concern here that has to ramify not just in this particular project but in any development throughout the whole

City of Pittsburgh and the fact we're saying here that this was, as Steve indicated, an industrial zoning area for many, many years. And I appreciate what the people want in that particular area now and that's townhouses. But you have to protect the people who are in there right today.

Now, the Legal Department made an indication to us and said it's spot zoning. I don't consider two blocks spot zoning. I appreciate that people don't want to have a townhouse and have something industrial come up in their midst right there. This past Wednesday I had asked the Legal Department to research this and see what they can come up with, if there's anything that we could put in there to protect this individual that if anything happens to his business, any catastrophe that would destroy his particular establishment, that he could rebuild that and have the ability to expand, as he so indicated, and the neighbors all agreed to it, up to 25 percent, to expand in that particular area and I think that's reasonable.

I'd ask the Council right here that if we do this in this particular zoning, that there's other areas of the City and especially out in the Strip District that are industrial complexes right now with residences in them and everything else. I think the Administration, I know the Mayor would like to see some type of new homes go in there, maybe condominiums. But the thing is, we still have an industrial base in the City, there's still people working there.

I would ask all my colleagues to pay attention to what Steve is trying to say and by protecting this businessperson, I think we have to be keenly aware of that. It's a very serious thing that if anything would happen to that person's business that he could not then continue. And this two block area

out of 22 blocks, to me, is not spot zoning. Someplace within a block or a half of a block or a quarter of a block, that this City is designed by blocks and by blocks we should zone, generally speaking. I can show you the zoning map of the City of Pittsburgh and show you where the back alleyway from one end to another of a block is zoned completely different from what another one is. And for having two blocks out there or at least his property, his property plus 25 percent expansion, possible expansion, should be something that we should protect. Any business person, not just this one, any business person.

Mr. Grabowski:

In response to Michelle's comment, what is proposed in my amendment is not considered spot zoning. The Law Department referred to spot zoning in general as being illegal and, in fact, it is. But the amendment that I have proposed is not spot zoning and it is legal.

Mr. Wagner:

Mr. President and members of Council, Councilman Grabowski is correct. This is not spot zoning as his amendment is proposed. Spot zoning would be the rezoning of that parcel of property itself, meaning where this business owner is. I think it's important to note here that this individual does have rights and will continue to have rights, even without this amendment.

As was indicated in a letter to all of us, dated April 25, 1986, from our Solicitor, the first sentence in the second paragraph reads as follows: "Chapter 991 of the Zoning Code sets forth the rights of a non-conforming owner to expand and to rebuild after a catastrophic accident." If this particular individual wants to rebuild as a result of

a fire, they can rebuild, even though that property is not zoned for the purpose of which they're there now. They can also expand, as was indicated to us in another letter, up to 25 percent, an agreement that Councilman Pollock has, I believe, with the business owner and the City of Pittsburgh.

The question here is whether or not, in the rezoning of two blocks of property and not rezoning two blocks of property, in addition to this one building owner, are there other developers that want to come in there and build businesses? If so, I have not heard of any. But the people of Homewoods, the people want to attract townhouses in this particular area. That's part of an overall master plan for a 20 block area along the Martin Luther King Busway. I think it's a very practical plan; I think housing is what we need in this City. Housing will improve the tax base which we all know needs strengthening.

As I indicated at last Wednesday's meeting, and I would like my comments brought forward for the record, two weeks ago I was at an annual town meeting in Homewood-Brushton of which there were approximately 150 participants. All individuals wanted to see this property rezoned, in total, rezoned. Not one individual there was against this rezoning.

Therefore, I would strongly suggest that we move forward with the rezoning, the total rezoning of the 20 acres, and continue to grant this individual the rights that they have and they will have in the future.

**(BEGINNING - MR. WAGNER'S
REMARKS ON BILL NO. 316 -
WEDNESDAY, 4/23/86)**

Mr. Wagner:

I think the avenue that Councilman Pollock is pursuing is the correct one to obtain a reassurance from Mr. Mistick and also reassurance from this Council that this individual will not be left alone if he is put in an undesirable situation with a fire in his building, or whatever, and if there is a need for expansion of his building that we do make every effort if it can't be done at that location to do it at another location that's suitable to his needs, that is not a burden on that individual economically.

I think the clear thing to remember here is that the neighborhood in far majority supports this zoning change. I was at a town meeting last week in Homewood, of which about 150 people attended, and I can tell you clearly, you know, the average person on the street wants this rezoned, and I think if we simply take into consideration this individual's needs and be prepared to deal with them when the occasion arises and move forward on the rezoning, I think that's the right way to go.

(END OF REMARKS)

Mr. Pollock:

With all due respect to Mr. Grabowski, I know what his intent is and I respect that, but I must ask him rhetorically before he votes if he is not avoiding one evil by gaining another. All the residences that will now be non-conforming uses and non-conforming structures, will be subject to the same evil that he's trying to avoid. If one of these home-owners have their houses burned down or if one of these home-owners desire to expand their property,

they'll have the same problem that he's trying to avoid with the business.

I have a commitment from the Zoning Board Administrator, Mr. Joe Mistick, that he would indeed entertain a motion, an application from the Triangle Poster gentleman to expand beyond 25 percent. We have a commitment in writing from the neighbors and the neighborhood groups that they would support an expansion beyond 25 percent. Mr. Mistick told me that when the neighbors and the neighborhood groups support it, that it generally goes through without any problems.

Similarly, the issue as to the destruction beyond 50 percent, there are serious questions about the constitutionality and legality of that, and indeed there are currently cases challenging that, and that is, if a person has a structure in a non-conforming use and it burns down, does that person have to go before anybody to get permission to rebuild. I, myself, think that he or she would not have to do that and should not be required to do that. So, again, you have the problem with that, which I don't think is a real problem at all.

You have the Planning Commission supporting this, the Planning Department supporting this, the neighborhood groups, the neighbors, the public testimony. You know, I have to wonder, what do all these people have to do to get this Council to vote? Do they have to stand on their head on Grant Street or picket with signs? What do we want? This is absolutely ridiculous.

Michelle Madoff:

I concur with Mr. Wagner and with Mr. Pollock, and I think one avenue has been overlooked. We have an Urban Redevelopment Department, there's a Relocation Department, there's funds

available. If a company is expanding 25 percent or more, obviously they're bringing in new employees; there's money available to help them. That person might even want to relocate because it might be an incentive for them to do so. There's also abatements on new buildings, improvements that are made. We should not penalize people that are trying to upgrade their community and go to townhouses. I agree. Let's call the vote.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Woods
Mr. Grabowski	(Pres't)

AYES 3	NOES 5
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VOTING NO:

Mr. DePasquale	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	

And a majority of the votes of Council being in the affirmative, the motion was defeated.

Mr. Givens:

I'd like the letters that have been sent to the various Councilpeople to be made a part of the record.

(LETTERS REQUESTED BY MR. GIVENS)

April 25, 1986

Honorable President and Members
City Council
City of Pittsburgh

Dear Mr. President and Members:

You have requested an opinion as to whether exempting the Triangle Poster Company property from the proposed rezoning would constitute spot zoning.

In Pollock v. Zoning Board of Adjustment, et al., 20 Pa. Commonwealth Ct. 641 (1975), the court stated:

"Generally speaking, spot zoning is the arbitrary and unreasonable classification and rezoning of a small parcel of land. This small parcel of land is usually set apart or carved out of a surrounding or a large neighboring tract, with no reasonable justification for the differential zoning. Cleaver v. Board of Adjustment, 414 Pa. 367, 379, 200 A.2d 408, 415 (1964). A municipality, however, may rezone a small piece of property for a use different from that of surrounding uses if such use is in accord with the comprehensive plan and reasonable use in the area. Trinity Evangelical Lutheran Church v. City Council of Harrisburg, 2 Pa. Commonwealth Ct. 222, 278 A.2d 372 (1971)."

Since the property rezoning is not in accord with the Comprehensive Master Plan and constitutes such a small parcel that it, indeed, would constitute spot zoning, it is, accordingly, illegal.

Very truly yours,

D.R. Pellegrini
City Solicitor

DRP:rms

April 25, 1986

Honorable President and Members
City Council
City of Pittsburgh

Dear Mr. President and Members:

You have requested an opinion as to whether there is a mechanism for Council to safeguard the future interests of Triangle Poster Company which is going to be rezoned to R-2T, Townhouse Residence District.

Chapter 991 of the Zoning Code sets forth the rights of a non-conforming owner to expand and to rebuild after a catastrophe. Other than giving more rights in general to non-conforming uses, which are not favored by the law, there is no practical way for Council to single out Triangle Poster Company for any special privilege to expand or rebuild that is not available to all non-conforming owners.

Very truly yours,

D.R. Pellegrini
City Solicitor

DRP:rms.

(END OF INSERT)

Also,

Bill No. 640

A Resolution entitled, "Resolution providing for an Agreement or

Agreements with the University of Pittsburgh - Office of Urban & Community Affairs for the 'Development of an Informational Profile of the Black Community in Pittsburgh.'

Which was read.

Also,

Bill No. 643

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William J. McShane II for the sale of Block 23F Lot 320 in the Twenty-Fifth Ward of the City of Pittsburgh (RESALE FOR REHABILITATION)."

Which was read.

Also,

Bill No. 644

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Womanspace East, Inc. for the sale of Block 11-K Lot 15 in the First Ward of the City of Pittsburgh (RESALE FOR REHABILITATION)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 745

Report of the Committee on General Services for April 23, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 627

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing of twenty (20) portable radios at the Pittsburgh Zoo payable from Trust Fund PZCDI, Pittsburgh Zoo Capital Development and Improvement, Index Code 253708, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 645

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing, on site

delivery and installation of a Firearms Training System for the Department of Public Safety, Bureau of Administration Training Center and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 746

Report of the Committee on Parks and Recreation for April 23, 1986 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 626

An Ordinance entitled, "An Ordinance

supplementing the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, Chapter 161, by adding 161.20, "Acquisition and Disposition of Animals and Plants at the Zoo, Aviary and Phipps Conservatory."

Which was read.

Also,

Bill No. 628

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various contractors to provide professional services for the benefit of the residents of the City of Pittsburgh during 1986, and providing for the payment of the costs which shall not exceed \$81,865.00; \$10,665.00 chargeable to and payable from Code Account 1833, (183301) Recreational Activities, Concerts, and \$71,200.00 from Code Account 1838, (183806) Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 629

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The Pittsburgh Trust for Cultural Resources for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, and providing for the payment of the costs which shall not exceed \$20,000.00, and is chargeable to and payable from Code Account 1838, (183806) Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 630

A Resolution entitled, "Resolution providing for authorization to enter into an Agreement or Agreements with various contractors for professional services in conjunction with the Department of Parks and Recreation, Special Events and Cultural Affairs annual Fourth of July Celebration and providing for the cost thereof, at a cost not to exceed the amount of Twenty-Five Thousand Dollars (\$25,000.00) from the Special Parks Program Trust Fund, Index Code 254359, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 631

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Allegheny County Institutional District in connection with the Federal Area Plan for Programs on Aging providing for payment and reimbursements to the City by Allegheny County Institutional District for expenditures in connection with the Senior Citizens Program, providing for the payment of the City's share of the cost, providing for the deposit of funds."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 747

Report of the Committee on Public Safety for April 23, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 646

A Resolution entitled, "Resolution providing for a Contract or Contracts for the use of existing Contracts for the renovation, remodeling and refurbishing of the fourth floor of the Public Safety Building and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 748

Report of the Committee on Engineering and Construction for April 23, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 616

A Resolution entitled, "Resolution amending Resolution No. 97, effective March 2, 1984, entitled: 'Providing for a Contract or Contracts, or use of existing Contracts, for the rehabilitation of various Housing Authority Playgrounds including Glen Hazel and Bedford Housing sites; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$30,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

At this time I must leave, and Mr. Givens, President Pro tem, will take over.

Mrs. Masloff:

The following gentlemen have given much of themselves in time and effort to further Little League Baseball. I would ask them to come forward for this resolution. Attorney Bill Conway, George Petnuch, Richard Reagan, John McCrone, and Joe Natoli, all City of Pittsburgh leaders in a Little League Baseball movement.

Mrs. Masloff presents

No. 749 WHEREAS, a crisis exists in Little League Baseball and other amateur sports programs in the Pittsburgh area and throughout Pennsylvania in which increasing numbers of adult volunteers are being subject to frivolous liability and litigation; and,

WHEREAS, if we do not provide

protection from such nuisance suits, we risk losing volunteers, ruining the various athletic programs, and denying our children the benefits of organized, competitive sports; and,

WHEREAS, the Pennsylvania House of Representatives recently passed House Bill 1625 which seeks to lessen these frivolous law suits by establishing an accepted standard of negligence common to all non profit associations sponsoring sports programs; and,

WHEREAS, the Senate of Pennsylvania will soon consider this bill on its legislative agenda and the vote could well decide the future of amateur sports programs for the young people of our Commonwealth;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby urges the Senate of Pennsylvania to pass Bill 1625 to protect amateur sports programs throughout the Commonwealth of Pennsylvania.

Mrs. Masloff moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Conway:

Thank you, Sophie. I'm Bill Conway, the facilitator of this coalition and I'm representing several Northside athletic associations and also one in Greenfield.

What this legislation will do is provide protection for some of our neighborhood volunteers who spend their time and effort in our Little League, soccer, football and softball programs. We know how important those amateur sports programs are for the youth of our

City neighborhoods. I'm pleased that Council has decided to take the initiative to support protection for our neighborhood volunteers who are so vital to those sports programs.

I again would like to highlight some of the people who are here today. I really appreciate them coming. Joe Natoli from the Morningside Baseball Association; Richard Reagan from the 31st Ward, Lincoln Place Youth Athletic Association; George Petnuch from the 10th Ward Baseball Association up in Upper Lawrenceville; and also Johnny McCrone from the 9th Ward Little League Baseball in Lawrenceville. I appreciate them coming today and would like to afford them the opportunity to say something to Council.

Mr. Natoli:

I guess I'm the oldest one here. In the Morningside area, I know some of the guys in this room know this, I've been involved with athletics for the last 45 years, Little League for the last 34 years. We're probably one of the oldest Little Leagues in the City, next to Greenfield. Of course, John McCrone from Lawrenceville, Petnuch from the Lower 10th Ward, we've been brothers in Little League, baseball, amateur sports for years. Without the volunteers, and we don't have the volunteers that we used to have, and the volunteers you get now, with all these lawsuits coming up, it sort of scares people away.

There's no way that anybody can finance this kind of a program. These programs save an awful lot in the City of Pittsburgh, or whatever borough they're from. The City of Pittsburgh, Department of Parks and Recreation, could in no way handle the Little League programs in our City, or they couldn't handle it as well as these volunteers are doing right now.

It's very important and we are pretty much in a shocked attitude about this thing that we have to go to Legislators in Harrisburg and now it's supposed to go to the Senate now. I'm sure we will win on this thing but can you imagine if we don't win what would happen? The volunteers would walk out and from then on you'd have to pay people, you'd have to insure them in other respects outside of liability insurance. The programs would be in deep jeopardy.

We appreciate the fact that this program has been started and I would say these fellows here are probably the oldtimers of the Little League Baseball Program and they know and it's very important to us and an office such as Council here would be a big step for us to get your support in Harrisburg. It's very, very important that this happens. I know because, like I said before, after doing it for many years you meet many people, you lose many people with ages and the kids graduating, but you're not going to get that influx anymore if we have this kind of a liability looking at our people.

I thank you very much for hearing us out today. Thank you.

Michelle Madoff:

Excuse me. How do you pay the insurance now?

Mr. Natoli:

Right now, for instance, in our league we pay liability insurance, our own monies, and we have insurance on our players, managers, concession workers. This is for injury to the person. That's the only kind of insurance. And then liability insurance is if a kid breaks a window down the street or something, the ball goes over the

fence.

Michelle Madoff:

But you have that money? The community chips in to pay that insurance?

Mr. Natoli:

When the kids raise their money in Little League initially that money goes into insurance first and that's how we're protected.

Michelle Madoff:

There's some insurance but the cost is going out of sight and what you're looking for is some protection. I thought we ought to understand what we're voting on.

Mr. Natoli:

You can read about us all over the country especially in departments — I know over in the county the concessioners cannot keep up with the insurance. Something has to be done. But these are kids and without volunteers, forget it. You know yourself, the best support you can get are from volunteers.

The Chair, Pro tem:

Thank you very much.

Mr. Pollock:

Would Mr. Henninger please step forward? This is a real joy to read.

Mr. Pollock presents

No. 750 WHEREAS, Bayer AG, the West German parent company of Mobay Chemical Corporation has announced that its seven United States units will

operate under a holding company, Bayer USA, Inc.; and

WHEREAS, the Council of the City of Pittsburgh is delighted that Bayer AG has chosen Pittsburgh as its headquarters for Bayer USA; and

WHEREAS, Bayer USA, with its 25,000 employees and \$4 billion in sales, ranks among the 200 largest corporations in the United States; and

WHEREAS, the City of Pittsburgh has the third most corporate headquarters for Fortune 500 firms of all the cities in the nation, and Bayer USA will be joining 15 other such corporations based in Pittsburgh; and

WHEREAS, Bayer USA's decision was a result of the knowledge of Pittsburgh its Chief Executive Officer, Dr. Konrad M. Weis, gained through his years here as Chief Executive Officer of Mobay Chemical, and because of the quality of life and relatively low cost of living in Pittsburgh; and

WHEREAS, Bayer USA's decision reaffirms Pittsburgh's position as an important headquarters city and indicates that Pittsburgh is a liveable city for businesses as well as people; and

WHEREAS, it is earnestly hoped that our City will also attract some Bayer USA subsidiaries to locate here; and

WHEREAS, the Mayor, the City Council, and the residents of Pittsburgh warmly welcome Bayer USA to our City and offer any assistance the company may need in making its transition an easy and enjoyable one.

NOW THEREFORE,

BE IT RESOLVED, that the month

of May shall be known as "Bayer USA Month" in the City of Pittsburgh so that the company will know how very happy and proud the people of Pittsburgh are to have Bayer USA join its family.

Mr. Pollock moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Pollock:

Michelle was going to introduce similar legislation on this so when I'm finished she might like to say a few words as well and maybe come up here if she likes.

I just want to say that all of us in Pittsburgh and all of us in Western Pennsylvania have live through many defeats lately and a lot of things that have made us very sad, the Union Switch and Signal battle, the Dorothy Six and a lot of mills closing, so that when it comes time to have a victory I think that that should get as much publicity as some of the failures have. And this truly is a great victory. A company of this magnitude, a corporation with this number of employees and this amount of billions of dollars of sales locating here because of Pittsburgh, not just because it's convenient but because of what Pittsburgh is, is truly a great success story.

Mobay Chemical, located out by the Airport, it's a very low-profile company but it should be known that Mobay was the largest headquartered company in the United States that is headquartered outside the nation. So, the Mobay in Pittsburgh was the largest foreign held corporation located in the United States. And now we're going to have the parent company, Bayer USA,

here and it says a great deal about our area.

So, we're going to try and get this as much publicized as possible so that people know about Pittsburgh more and so we can get more of these companies to locate here and, more than that, we're going to do all we can to help Bayer in its transition here and then once its here to make its existence here as enjoyable and as profitable and as rewarding as possible.

I think the only other thing I want to say before turning it over to Michelle and anybody else is that the spelling for the parent company is B-a-y-e-r and I know that the European German pronunciation is "Buyer", but I think you people better get used to being called "Bayer" because, as the residents of North Versailles will tell you, you can forget about having European pronunciations around here.

With that, I'll turn it over to Michelle, if she wants to say anything, or join me up here.

Michelle Madoff:

I had just asked the City Clerk to prepare the same resolution and I'm just delighted that two minds think alike and he did a superb job. I welcome you; we're happy you're staying. Expand quickly, we need the jobs.

Mr. Pollock:

Mr. Henninger is the Vice President of Financial Services for the Mobay Corporation.

Mr. Wagner:

I would just like to ask Mr. Henninger, in evaluating Pittsburgh, what were our strenghts and what were

our weaknesses and overall what was the bottom line as to why you chose Pittsburgh?

Mr. Henninger:

Well, Mobay which is one of the seven corporations of Bayer USA has been headquartered here in the Pittsburgh community for over 30 years. I personally have been connected with the company for 23 of those 30 years. So, over that period of time, Pittsburgh did not have to sell itself. We have learned to find out that Pittsburgh is, in fact, the number one City.

Mr. Wagner:

And will you be located in the same complex with Mobay or another complex?

Mr. Henninger:

No, Bayer USA will be headquartered here in the City of Pittsburgh, in one of the buildings in the City, but Mobay will still be headquartered on Parkway West.

Mr. Wagner:

Okay. Welcome.

Mr. Henninger:

Thank you.

On behalf of Bayer USA and its Chief Executive Officer, Dr. Conrad Weis, I'd like to thank the members of City Council for this proclamation in naming the month of May as Bayer USA Month.

As I mentioned before, one of the seven companies, Mobay, has been headquartered in the Pittsburgh community for over 30 years so trying to

convince the more than 1000 employees of Mobay that the City of Pittsburgh is in fact the number one City was relatively easy. Therefore, Bayer USA has been very proud in naming Pittsburgh its number one City by locating our headquarters here.

We thank the members of City Council once again and I give you my personal comments that we will try to be a very good corporate citizen in the future.

The Chair, Pro tem:

I'd just like to make one comment if I might on behalf of the Mayor of the City of Pittsburgh, which this resolution does include, including myself. When I looked in the business section of our local newspaper and saw that your company was in fact going to locate here, I was very, very happy because we have seen within the City of Pittsburgh, as has been indicated, some companies, corporate companies, who have left here.

I only ask one thing of you and that is to bring as many of your satellite companies where we can get some workers here and not just have the corporate headquarters but bring some of your satellite companies in here and put some of our people to work because they would dearly appreciate. Thank you very much.

Mr. Pollock:

Another one I have to read is also a great victory for the City. In fact, it's only the second time its ever happened, and that is regarding the awarding of a Pulitzer Prize.

Mr. Pollock presents

No. 751 WHEREAS, the Pulitzer Prize has been awarded for outstanding

work in journalism, literature, music, history, fiction, and poetry since 1917; and

WHEREAS, the Pulitzer Prize is the highest honor awarded to journalists for exceptional reporting; and

WHEREAS, Mary Pat Flaherty and Andrew Schneider of The Pittsburgh Press received the specialized reporting award for their series of articles on the scientific and ethical questions raised by the nation's organ transplantation program; and

WHEREAS, their ten month investigation chronicled in their series of articles entitled "The Challenge of a Miracle: Selling the Gift" resulted in changes being made in the field of organ transplantation; and

WHEREAS, this award marks only the second time a Pittsburgh newspaper has captured the Pulitzer Prize, thereby bringing national attention to the City of Pittsburgh and to the exceptional quality of reporting of our City's journalists.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh recognizes and congratulates Mary Pat Flaherty, Andrew Schneider, and The Pittsburgh Press for their exceptional work in the field of journalism and for bringing to light the problems in our nation's transplantation program.

Mr. Pollock moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Pollock:

We'll probably get another one next

year for John Schmitz' series of articles on Council's expense reports.

Michelle Madoff:

I have a floor motion. Can I read it? It's a floor motion making available funds for the hiring of a photographer to take photographs of City problems at any time, day or night, so that these problems can be best brought to the attention of department heads and other Councilmembers.

The Chair, Pro tem:

We have a motion; do we have a second?

Michelle Madoff:

We don't have anybody here. How are we having a floor motion without anybody here? I think I'm going to keep it a week until somebody is here.

The Chair, Pro tem:

We'll go with your motion, Michelle. Does anybody second the motion?

Mr. Pollock:

I'll second the motion.

Michelle Madoff:

Now discussion. We have an item that you brought up, Mr. Givens, and I think you were right on target. The \$76,000 that's being paid, we voted on it today, on a claim and you talked about the streets being in repair. I was out one day at the Larimer Avenue Bridge and I complained that there was a problem there and we were told that the youngsters were throwing boulders over the bridge and they put up a sort of mesh fence and that didn't take care of it,

they said the kids were crawling over it. But what it turned out to be was water seeping through the bridge, breaking off, and large boulders falling and there was no net underneath the bridge. We've since amended the law to take care -- all bridges must have nets.

But if you recall, those boulders actually fell through two businesses, costing the City a great deal of money. We're self insured. One was a small industrial business and the other was a residence.

We then had a subsequent episode where the boulders fell through a car on election day, went through the glass, blinded the driver, and put all the lights out in that area on election day and nobody could vote in the area. I had the chauffeur at that time, and I don't recall who it was, put some of the boulders in the trunk and I brought them to Council on a little wagon. I did not call television because I was not doing it as a publicity stunt. I was severely chastised by the media who thought what a great visual.

I think it would be very beneficial for this Council, when there are issues happening, to actually see photographs. For example, McArde Roadway took seven years, it was down half the time, it was close some of the time completely, and we brought it in \$100,000 under budget two months ahead of time seven years later. You drive up McArde Roadway, we've had one very serious accident, one of the employees of the Shiloh Restaurant went down one evening when it was cold out and skidded on some ice and was unconscious. It appears that the problem was not the City's but PennDOT putting water over the hill because of some problem. We have some problem with the design, we have water there today, moisture on the ground. If it was cold out we'd have a problem. The

sidewalks were never repaired. There's a problem with the retaining wall for the incline, and no one going up that Roadway would ever believe that the millions of dollars that were spent on it were spent and it was never done.

Either we adjourn meetings and we go out and take trips around the City on a bus and we show some of these things happening or let's get some photographs. Our office wanted to show some photographs of the garbage in the living room of the City of Pittsburgh, which is the Downtown area, the first thing people see. At 5:30 or 6:00 it's neatly piled up Downtown. By 8, 10, 11 o'clock it's strewn by either the rats getting into it from the sewers or the street people going through the garbage. The City looks like a garbage dump. I needed some pictures of that. We got pictures early of the garbage neatly piled showing that the garbage was indeed outside in the Downtown area but not what happens to it.

There's a boulder sitting up on McArdle right now that's come off the side of the wall that could hurt a car and do some serious damage. There are trucks going by that don't have tarpaulins, trucks where the license plates are completely covered. We don't have any photographs.

If members of Council had access, as we should, to a photographer, I'm not a photographer, to take some photos at not unreasonable rates and not unreasonable times and we make arrangements with the photographer they're generally available.

The Chair, Pro tem:

Just two things very quickly. One, we do have cameras at our disposal —

Michelle Madoff:

No we don't.

The Chair, Pro tem:

Yes we do.

Michelle Madoff:

I checked this.

The Chair, Pro tem:

I talked with our Finance Department. They do have —

Michelle Madoff:

We tried to get them. We had to go out and pay for our own.

The Chair, Pro tem:

No, they have film and I have used them myself —

Michelle Madoff:

To go out and take pictures?

The Chair, Pro tem:

Yes we have them.

Michelle Madoff:

To go out and take pictures for you?

The Chair, Pro tem:

Yes.

Michelle Madoff:

Do you mean I can have them come in in the evening and have them take pictures in the camera?

The Chair, Pro tem:

Well, I mean anyone can operate the cameras and I think within the Public Safety Department of the City of Pittsburgh, you'll find in there that we do have an audio visual which includes camera, picture taking, etc., and that's a capability that the Mayor can use.

Mr. Pollock:

Just so we know, Mr. Givens, are you saying that if tonight at 11:00 I wanted to have a photograph taken of something there's a number I can call to have a photographer from the City go out and take a picture of something?

The Chair, Pro tem:

I don't know what the status of the Public Safety Department is in that particular department but it's a very interesting area I think we should explore into.

Mr. Pollock:

I support what Michelle is talking about. I think that photographs can be a great benefit to this Council whether it be at a public hearing or just a Committee Meeting or even for a final vote.

My question for Michelle would be, who would be in charge of determining? Can any one of the nine of us request a photograph be taken and request that the photographer go out? Or would it require a vote of Council to determine whether or not --

The Chair, Pro tem:

No, I think, as I indicated, we have our own equipment back there. It's not the best in the world. If you want some very specialized equipment, I think the

City is going to have, if they don't already have, some very qualified people with the state of the art equipment on board to give whatever type of photography that you might need. I don't know if that's in position right now. I know this Council has budgeted for it over some 18 months ago and it should be on hand or very shortly should be on hand.

Mr. Wagner:

Mr. President, Pro tem, and members of Council, I think the only way it's possible to accomplish this is for Council either to do it with a staff person or with a consultant. We do not have jurisdiction, obviously, over the Administrative branch of government and could not command to have an individual from the Administration to go out and take photos of whatever.

I would just possibly suggest to Councilwoman Madoff that maybe the way to go about this would be for the City Clerk to assign a particular individual that responsibility to have a quality 35mm camera and maybe send that individual to a one or two day school on the operation of that camera and have that individual available to all nine Councilmembers.

The Chair, Pro tem:

I think we can do that, possibly. But here again, we have I think an excellent capability --

Michelle Madoff:

Excuse me, Mr. President. We checked with the Public Safety Department and they turned us down.

The Chair, Pro tem:

When was this?

Michelle Madoff:

We took pictures of the litter in the Downtown area on two occasions. We went to the Public Safety Director and we were turned down.

And there's another dimension that we've all forgotten. What happens when one member of Council inadvertently walks into another department and sees checks not deposited for six months, not getting interest, and they want a photograph of it? Do you think we're going to go to the Administration to get a photograph of checks sitting around, they're going to let us in? I was told if I went in I was to be physically evicted, to lift me up and take me out. Fortunately, that problem has been corrected. But I would suggest that we ought not to mix our business with the Administration's business.

If I want some photographs taken because somebody calls me, as they did today, to tell me about a problem that exists in the City and I don't believe it, I want to see that photograph. I would like to have somebody go and take a picture of that situation and bring it back to the people who are going to vote on it, the colleagues.

I think for example, we've maligned, and I've probably been part of the people, Mr. Grabowski on his newsletter when indeed one of the things he warned us against was subsidence. I think if he'd had some photographs that were taken and given to us early on before his newsletter that we may have been more supportive.

I think that photography would be very helpful and it should not be the Administration knowing exactly what we're doing. I need some pictures taken right now and I don't want anybody to know what I'm doing.

The Chair, Pro tem:

Michelle, if I might make a suggestion, I think we're talking now about an in-house solution. May I recommend that we hold this until our Monday monthly meeting --

Michelle Madoff:

I need them right away. I need those pictures tomorrow.

The Chair, Pro tem:

Well, I think the motion you have before us is to hire someone to do this. Suggestions have been made by Mr. Wagner that we can maybe assign somebody in-house to do it. I don't know if we need a vote on this particular motion --

Michelle Madoff:

I'd like a vote on it.

Mr. Pollock:

Before you vote on it let me just ask one question. Could not Michelle go out tomorrow and retain a photographer and then after having the photographs submit the bill to Council to be paid as an expense?

The Chair, Pro tem:

I'll ask the Chief Clerk to answer that.

Mr. Perry:

Yes.

Michelle Madoff:

We have a \$75 bill for you.

Mr. Pollock:

It's a City expense.

Michelle Madoff:

I have a \$75 bill for you. We'll line up our own photographer, we'll give you the bill, you reimburse us. That would be just ducky.

Mr. Perry:

It will be on Wednesday's agenda for payment, Council will vote on it.

Michelle Madoff:

The thing that I'm concerned about is that I don't want to end up with another \$250 fine at the Election Board saying that I took that out of my political fund. I think that if I'm a good Councilperson I'm a politician which is political and I'm not taking that out of my private fund, it does indeed come out of my political fund.

I want to take some pictures of the garbage strewn all over the street because Mary Beth Salley came here and said, "I had a baby" and then she said, "We just formed the laws". Well, all I know is that this Council has been giving money to that committee for years and years and years and I don't want to see the Downtown looking like a garbage dump.

Mr. Grabowski:

I think what our City Clerk indicated is correct, that we can, any one of us, go out and hire a photographer. But I would submit that that could become pretty costly and perhaps an alternative would be to maybe buy two or three cameras for the office. As Michelle indicated, some of these things that some of us may be

working on may be confidential in nature and rather than have one individual from the City Clerk's Office assigned to that function let Michelle go out and take the picture or myself or anyone that would like to.

The Chair, Pro tem:

We have those cameras presently back in our Finance Department. They're fairly decent cameras. I've used them for a number of years. The film is back there.

I think Michelle's problem goes a little bit deeper. She's asking for someone 24 hours a day, 7 days a week, if she receives a call about a condition, that she might not have to go personally there but call somebody up and ask them to go out and take some pictures of that particular area. That could get costly depending upon how aggressively the Councilpeople would use it.

Mr. Grabowski:

With respect to that, we all have administrative assistants and I know I've called on mine to go out in the evenings or put time in above and beyond what she normally does. If I wanted to take some photographs of a particular problem and I couldn't do it myself, I'm sure that my assistant would be willing to do that.

Michelle Madoff:

We're talking about it becoming costly. It won't be as costly as \$76,000. I think it would be cost effective if we bring some of those problems to the attention of Council and I don't have a problem with having a person hired for all of Council keeping confidentiality. The person wouldn't have their job long if they went out and said they were doing work for one as opposed to the other. The chauffeurs keep confidentiality, I find

the Clerk's Office keeps confidentiality. I don't have a problem with hiring a photographer, even part-time. We don't need a full-time photographer, pay them by the hour. We go through Mike Perry, we have a photographer available, we ask Mike to get in touch with him, say I need him at 8 o'clock at night, I need him to go at 10 in the morning, 3 in the afternoon, have a person available and, as you pointed out, some of the streets you'd like to have photographed. You don't want to send your aide out. Maybe it's not safe at night or maybe you've got something else, your aide is working on another project. Let's have somebody who can take some photographs for us. It's a lot cheaper, a lot less costly than the damage that's done.

Mrs. Masloff:

Are you suggesting that we hire somebody?

Michelle Madoff:

I'm suggesting that Mike find some photographers for us, that we go to him like we would to a chauffeur, but they're on a consultant basis so we have no benefits, nothing. We have somebody who can do photography, we go to Mike and say, "Mike, can you get me a photographer for 10 o'clock tomorrow?", or the woman calls me and I say, "This is what I want, would you please go get the pictures taken?" Then I'd bring them to Council and show you what I've got. I may go out at 11 o'clock at night. The independent photographers will work at strange hours.

That's my motion. That we have somebody assigned by Mike, hired as a consultant to Council, to be able to do photography for us as needed. We may find that we use it very seldom; we may find we get 10 or 20 hours a year. I don't

think we're talking about a large sum of money.

Mrs. Masloff:

What I don't understand is that if Mike has cameras, he says he has cameras —

Mr. Perry:

I have one right now.

Mrs. Masloff:

Well you buy another camera; how much could that cost? Then, periodically, when you want to take a picture, you can send anybody from the staff out.

Michelle Madoff:

Do you know somebody on the staff you can send out to take a picture? That's fine with me.

Excuse me, Sophie, we have a problem. At 3 o'clock in the morning when there's a water break and nobody shows up and the water is pouring, I'd love to have a cameraman standing there taking a picture of the leak and three days later the leak not repaired. I think we need a photographer to help us make our case.

I would like to be specific about my motion. Sophie raise an issue so we'll put it to rest, that Mike has a couple of cameras or we have an available photographer and they usually have their own cameras, that we hire by the hour, they work for any member of Council that would like some photographs taken of cracked streets, of whatever we think is important, that would save the taxpayers money by seeing that the problems are corrected.

The Chair, Pro tem:

I think that's within the realm of all Councilpeople and we have a code account that monies can be expended. The Chief Clerk has so indicated that we can do that. For that reason, I don't think there needs to be any requirement for a vote on this particular motion.

Michelle Madoff:

I would like to have a photographer for Tuesday, Wednesday or Thursday. I have something I want photographed. Three things I want photographed: a street at night, the boulder on McArdle, and I've got another goody.

Mr. Wagner:

Mr. Chairman, I believe there's a motion on the floor and a second. We have to vote on it.

The Chair, Pro tem:

Well, I think it was so indicated that it can be handled in-house, we have that capability, and we don't have to actually have a motion.

Mr. Wagner:

I believe according to Robert's Rules those motions must be retracted in order for us not to vote on them.

The Chair, Pro tem:

You're absolutely right, Jack. I thought I could solve that very quickly. If not, there was a motion, it was seconded. Will the persons who made the motion and seconded the motion please withdraw their motions?

Michelle Madoff:

I'm willing to give it a shot for a

week to see if I can get my photographs. If I can't, I'll be back with my motion.

Mr. Pollock:

Are you withdrawing your motion?

Michelle Madoff:

Yes.

Mr. Pollock:

I'll withdraw my second.

Mr. Grabowski moved to excuse Mr. O'Malley for absence from the meeting.

Mrs. Masloff seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Grabowski**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX Monday, May 5, 1986

No. 18

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, May 5, 1986

PRESENT:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods (Pres't)

ABSENT:

Mr. O'Malley

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. DePasquale presented

No. 752 Resolution providing for the issuance of a warrant in favor of Patsy Catanzaro Construction (Patsy Catanzaro, Owner) in the amount of \$145.14 in payment of Extra Work, being in addition to the original contract price of \$92,800.00 on Controller's Contract No. 26971F, furnished for the benefit of the City in connection with the Reconstruction of the Wick Street Wall, payable from Code Account CDPW 83-35. (PRIOR APPROVAL GRANTED)

Also,

No. 753 Resolution providing for the issuance of a warrant in favor of Trumbull Corporation (Perry J. Dick, President) in the amount of \$15,259.60 in payment for Extra Work, being in addition to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street - Phase I, payable from the Grant Street Trust Fund. (PRIOR APPROVAL GRANTED)

Also,

No. 754 Resolution providing for the issuance of a warrant in favor of NICET in the amount of \$1,850.00 covering examination fees for 37 applicants for Level 2 certification in the National Institute for Certification in Engineering Technologies, payable from Code Account 1482.

Which were severally read and referred to the Committee on Finance.

Mr. Givens presented

No. 755 Resolution transferring the sum of \$150,000.00 from Code Account No. 1167, Wages, Regular Employees, to Code Account No. 1160-1, Premium Pay, Department of Environmental Services.

Which was read and referred to the Committee on Finance.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 756 Resolution granting unto Allegheny International Tower, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Vault and Cornice Encroachment in and over a portion of the sidewalk of Liberty Avenue in the 1st Ward of the City of Pittsburgh.

Also,

No. 757 Resolution granting unto Renaissance Federal Credit Union, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, Steps, Ramp and Planters on a portion of the sidewalk of 43rd Street in the 9th Ward of the City of Pittsburgh.

Also,

No. 758 Resolution granting unto Mary Beth Schwartz, her successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Building Encroachment on a portion of the sidewalk of S. 19th Street in the 17th Ward, City of Pittsburgh.

Also,

No. 759 Resolution granting unto Dolores Felsing, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, an Off Street Parking Area on a portion of the Right of Way of Scull Street in the 24th Ward, City of Pittsburgh.

Also,

No. 760 Resolution vacating Conkling Street from Wylie Avenue to the Northwestern terminus, a distance of 120 feet in the 5th Ward of the City of Pittsburgh, excepting and reserving an easement for the 6-inch water line and 15-inch sewer line.

Also,

No. 761 Resolution adopting Official Sewage Facilities Plan for - Haslage Plan IV.

Also,

No. 762 Resolution adopting Official Sewage Facilities Plan for Pittsburgh Technology Center.

Also,

No. 763 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting authorization for Brother Richard Emenecker, F.S.C., to attend the Municipal Administration of Cable Television Seminar in Madison,

Wisconsin from June 23-24, 1986, at no cost to the City of Pittsburgh.

Also,

No. 764 Communication from James Norman Walker, Director, Department of Environmental Services, requesting authorization for Barry McMeekin and Carl Brown to attend the 12th Annual Southeastern Animal Control Association Seminar in Columbus, Georgia from June 19-21, 1986, at a cost not to exceed \$1,600.00, payable from the Animal Control and Animal Welfare Trust Fund.

Which was read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 765 Resolution providing for an Agreement or Agreements with Jubilee Association, Inc. for professional services for 1986 at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1103, Miscellaneous Services, Department of City Planning, and transferring \$5,000.00 from Code Account 10, Accounts Payable Prior Years to Code Account 1103, Miscellaneous Services.

—(SPONSORED BY MR. GRABOWSKI)

Which was read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 766 Resolution providing for the issuance of a warrant in favor of Marion A. Monheim, in the amount of \$2,500.00 for consulting services rendered to Michelle Madoff, chargeable to and payable from Code Account No. 1001-2, Salaries, Wages and Services of Council. —(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

Michelle Madoff:

Point of clarification. That money is being transferred to the City Clerk, the City Clerk pays it. It's still under the same stipend assigned to Councilmembers.

Mr. Pollock for Mr. O'Malley presented

No. 767 Resolution providing for the issuance of a warrant in favor of C. Lindquist Associates, P.O. Box 7907, 3075 West Liberty Avenue, Pittsburgh, PA 15216, in the amount of \$788.90 in payment for photographic services supplied to the Mayor's Office, chargeable to and payable from Code Account 1017, Miscellaneous Services, Mayor's Office.

Which was read and referred to the Committee on Finance.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 768 Resolution providing for the issuance of a warrant to Michelle Madoff in the amount of \$15,000.00 in full settlement of claim for personal injury, arising from a fall on July 15, 1985, on television cable in City Council Chambers, City-County Building, payable from Code Account No. 46, Judgments.

Which was read and referred to the Committee on Finance.

Also,

No. 769 Resolution providing for the letting of a Contract or Contracts, or the use of existing contracts for the furnishing and delivery of computer furniture at a cost not to exceed \$60,000.00, payable from Code Account No. 1045, Equipment, Bureau of Information Systems, Department of the Mayor.

Which was read and referred to the Committee on General Services.

Also,

No. 770 Communication from James M. Kiesel, Executive Director, David L. Lawrence Convention Center, submitting a list of the Authority's personnel, as of December 31, 1985.

Also,

No. 771 Communication from Richard Cosentino, Executive Director, Pittsburgh Water and Sewer Authority, submitting a list of personnel, as of December 31, 1985.

Also,

No. 772 Communication from Ronald C. Schmeiser, Director, Department of Finance, submitting a report of deposits and market value of collateral security pledged by City Depositories to secure same as of March 31, 1986.

Also,

No. 773 Communication from Stephen A. Schillo, Treasurer, Department of Finance, submitting the University of Pittsburgh's "Analysis of

the impact of Military Spending in the City of Pittsburgh for Federal Fiscal Year 1984", as of 1985.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 774 Resolution transferring \$35,000.00 from Code Account No. 41 Refunds - Real Estate Taxes to the MSP (Main Street Program) Trust Fund.

Which was read and referred to the Committee on Finance.

Also,

No. 775 Resolution providing for an Agreement or Agreements with the South Side Local Development Corporation for the implementation of the Main Street Redevelopment Program at a cost not to exceed \$35,000.00, chargeable to and payable from the MSP (Main Street Program) Trust Fund.

Also,

No. 776 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 16, by changing: From "R4" Multiple-Family Residence District to "R2" Two-Family Residence District 79 properties with frontage along DENNISTON STREET; HOWE STREET; HAILMAN STREET; KENTUCKY AVENUE; WALNUT STREET and AURELIA STREET, 7th Ward.

Also,

No. 777 Communication from Robert H. Lurcott, Director, Department of City Planning, requesting authorization for Donald Harris to attend a workshop in Jessup, Maryland from May 8-9, 1986, at a cost not to exceed \$200.00, payable from Code Account No.

CDPA 1985. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 778 Resolution providing for the issuance of a warrant in favor of James L. Smith Insurance Agency, 304 Cochran Road, Pittsburgh, PA 15228, in the amount of \$1,211.00 for extending Ambulance Attendants & Omissions Liability Insurance Policy Endorsement, to extend the policy period, chargeable to and payable from the Department of Public Safety, Bureau of Emergency Medical Services Code Account (EMNEAS).

Which was read and referred to the Committee on Finance.

Also,

No. 779 Resolution providing for an Agreement or Agreements with the South Side Sooners Youth Football Program for professional services for 1986 at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1838 Miscellaneous Services, Department of Parks and Recreation, and transferring \$2,000.00 from Code Account 10, Accounts Payable Prior Years to Code Account 1838 Miscellaneous Services.

—(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Parks and Recreation.

The Chair presented

No. 780 Petition from the residents of Polish Hill, City of Pittsburgh, requesting a public hearing concerning the rehabilitation of West

Penn Center, construction of a swimming pool at the West Penn Center; and also request this hearing be cable-cast. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 781 Petition from the residents of the City of Pittsburgh, requesting a public hearing concerning the Mayor's Annual Report on Military Spending and the impact on the local economy with regard to jobs and social services. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which was read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 782

Report of the Committee on Finance for April 30, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 666

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company (Peter Nicholson, President) in the amount of \$6,814.50 in payment of Extra Work in connection with the Goettman Street Wall Emergency

Contract; and providing for the payment thereof."

Which was read.

Also,

Bill No. 667

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Thomas A. Mekis & Sons, Inc. (Kenneth L. Wolf, Vice President) in the amount of \$1,248.57 in payment of Extra Work, being in addition to the original contract price of \$3,414,646.20, on Controller's Contract No. 27595, furnished for the benefit of the City in connection with the Demolition and Reconstruction of Baum Boulevard Bridge; and providing for the payment thereof."

Which was read.

Michelle Madoff:

On Bills 666 and 667, I will abstain until I have the list of the companies and individuals for which the Chairman abstained for eight or twelve years to make sure they're not in conflict. The list should be ready, I believe, on Wednesday

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale
Mr. Givens

Mr. Pollock
Mr. Wagner

Mr. Grabowski
Mrs. Masloff

Mr. Woods
(Pres't)

AYES 7

NOES none

(MICHELLE MADOFF ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 675

A Resolution entitled, "Resolution providing for a Contract or Contracts or to use existing Contracts for the furnishing, delivery and installation of Office Furniture for the Department of Personnel and Civil Service Commission and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 676

A Resolution entitled, "Resolution providing for a Contract or Contracts or to use existing Contracts for the furnishing, delivery and installation of a Filing System and accessories for the Department of Civil Service Commission and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 677

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$16,000.00 in full settlement of a claim for personal injuries to Margaret Mary Lyden, deceased, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 689

A Resolution entitled, "Resolution transferring the aggregate amount of \$27,800.00 from Code Account 10, Accounts Payable Prior Years, (Index Code 001008); to Code Account 1103, Miscellaneous Services \$15,800.00 and Code Account 1838, Miscellaneous Services \$12,000.00." —(SPONSORED BY MR. WOODS)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 783

Report of the Committee on Public

Works for April 30, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 706

A Resolution entitled, "Resolution providing for the Repeal of Resolution No. 298 approved April 11, 1986, effective April 16, 1986 entitled: 'Vacation of Congress Street from Fifth Avenue to its Northwesterly Terminus (170+ or _), in the 3rd Ward, City of Pittsburgh.'"

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Michelle Madoff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 784

Report of the Committee on Engineering

and Construction for April 30, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 414

A Resolution entitled, "Resolution providing for a Contract or Contracts for the Demolition of the Melancthon Street Footbridge over Baltimore and Ohio Railroad, including necessary work on private property; and providing for the payment of the costs thereof."

Which was read.

The Chair:

If I can explain this, we had a public hearing on this and the Director of Engineering and Construction, we met with the people, the Chairmen, and they decided to rebuild this bridge rather than tear it down and that's why it's coming with a negative recommendation.

Michelle Madoff:

Clarification. Would you give me that again? They want to rebuild it instead of taking it down? You can't rebuild it unless you take it down.

The Chair:

They're going to rehab it.

Michelle Madoff:

They're going to rehab it but they're not going to rebuild it. How will the numbers change?

The Chair:

There's no numbers on it.

Michelle Madoff:

Excuse me, I don't think you understand. There's \$48,000 — Is that for a new bridge?

The Chair:

That was to tear it down, I'm sorry. I think for another \$10,000 or \$20,000 they can rebuild it.

Michelle Madoff:

So, in other words, the amount would go up —

The Chair:

We don't know that until they come in.

Michelle Madoff:

I have a comment on that. I understand that there was an interim letter, and I haven't signed it yet, circulated by Mr. Pollock as recommended by myself at the time that the group wanting the pool on the hill —

Mr. Pollock:

Wouldn't that be under New Business?

Michelle Madoff:

I want to put the money to it.

The Chair:

Michelle, that's altogether different. It's a different project.

Michelle Madoff:

Whoa, whoa.

The Chair:

No whoa, it's an altogether different project. We are talking about Bill 414 and that's what we're discussing at this moment.

Michelle Madoff:

Mr. Chairman, if it is your pleasure I'll wait until the end of the meeting and recommend that the monies saved here be used towards that —

The Chair:

There's no money going to be saved here. It's going to cost more money than the \$48,000.

Michelle Madoff:

I thought it was going to cost \$12,000.

The Chair:

It could cost \$12,000 or \$20,000 more.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

VOTING NO:

Mr. DePasquale
Mr. Givens
Mr. Grabowski
Michelle Madoff

Mrs. Masloff
Mr. Pollock
Mr. Wagner
Mr. Woods
(Pres't)

AYES none

NOES 8

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also, with an affirmative recommendation,

Bill No. 668

A Resolution entitled, "Resolution further amending Resolution No. 284, effective March 29, 1985, as amended by Resolution No. 167, effective March 11, 1986, entitled: 'Providing for a Contract or Contracts for the Reconstruction of Penn Avenue from Beatty Square to Penn Circle East/South, including Street Lighting, Traffic Signalization, Intersection Improvements, work on private property and other work incidental thereof; and providing for the payment thereof,' by increasing the total project allocation by \$20,000.00."

Which was read.

Also,

Bill No. 669

A Resolution entitled, "Resolution amending Resolution No. 274, effective March 29, 1985, entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants in connection with asbestos and environmental quality assessment and analysis at various City facilities; and providing for the payment of the cost thereof,' by providing for a Supplemental Agreement or Agreements and by increasing the total project allocation by \$50,000.00."

Which was read.

Also,

Bill No. 670

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Architectural/Engineering Services in connection with the design of and preparation of documents necessary to rehabilitate the existing No. 1 Fire Station located at 344 Boulevard of the Allies; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 701

A Resolution entitled, "Resolution providing for a Contract or Contracts or use of existing Contracts for the Fabrication and Erection of a Modular Office/Maintenance Building for the Department of Public Works' Asphalt Plant; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale
Mr. Givens
Mr. Grabowski
Michelle Madoff

Mrs. Masloff
Mr. Pollock
Mr. Wagner
Mr. Woods
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mrs. Masloff:

Would Kay Tillow, President of the Pittsburgh Chapter of the Coalition of Labor Union Women, Ruth Jones, Secretary of the Pittsburgh Metro Area Postal Workers' Union, and Joyce, from the American Federation of State, County and Municipal Employees please come forward?

The Chair and Mrs. Masloff present

No. 785 WHEREAS, working women now account for 44% of the labor force and will account for nearly 50% of all workers by 1990; and,

WHEREAS, working women have been and are an integral and permanent part of our community's history; and,

WHEREAS, the increasing number of women in the work force requires ongoing efforts by leaders of government, business and labor to develop long-range solutions to address child and dependent care needs, employment and wage discrimination, training and retraining needs, social security and pension inequities; and,

WHEREAS, Pittsburgh City Council recognizes the important contributions working women make to their places and communities; and,

WHEREAS, it is necessary to increase public awareness of their contributions and the concerns they face;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize May 4-10, 1986, as "Working Women's Awareness Week," in the City of Pittsburgh, and urges all citizens, employers and community leaders to: (1) recognize the contributions of its working women, through special events and activities during the week, and (2) assist in developing programs in the City of Pittsburgh to better meet the changing needs and concerns of our working women.

Mrs. Masloff moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Ms. Tillow:

I'd like to thank the Councilmembers for passing this resolution. We would love to have you join us on Wednesday, May 7, where we will be in Mellon Square distributing yellow roses and pushing for the passage of the Parental and Disability Act on a federal basis to provide for the right for women throughout our country and we certainly hope that this is a beginning of the Council looking at ways we can solve the problems, the inequities in earning power between men and women, the problems of inadequate child care, in Pittsburgh and nationally, and all the other kinds of things that we've got to work for to finally reach equality and justice in our society. Thank you.

Michelle Madoff:

I think its all good and well to have a week to recognize the problems and I hope that, as you say, maybe something will start to happen but we've all been waiting a very long time. I don't

know that a recognition week is going to make those who don't care any more interested in recognizing the problems.

One of the things that I'd like to see happen that would be meaningful or effective would be to get a bill through the City immediately, as soon as possible, and I'm having somebody prepare something for us, is a flexible benefits bill so a woman working for the City who doesn't need to have duplication of medical services, meaning Blue Cross, Blue Shield, Major Medical, because her husband carries it -- my former aide's husband had one of the best plans in the world but she took it here, it was mandatory -- to stop the duplication of mandatory benefits that don't give you any benefit but you're paying for it, and perhaps have something like a day-care center right in the place where you work.

Those are the kind of things we have to do and set by example to do something rather than declaring a week, but that's nice too.

The Chair:

Thank you ver much.

Mr. Wagner presents

No. 786 WHEREAS, Pittsburgh's reputation as a growing center for road racing in the United States has been established with events such as the Great Race, numerous 10 kilometer neighborhood races, and the upcoming May 18th Pittsburgh Marathon; and,

WHEREAS, a public hearing was held last week on Tuesday, April 29th, at which several doctors, health specialists, and road racing coordinators testified that the 10:30 A.M. starting time for the Marathon creates a serious health hazard for the hundreds of participants who will be forced to run in the afternoon heat;

and,

WHEREAS, the average temperature for May in Pittsburgh increases more than 20 degrees from morning to afternoon, thus increasing the health risks to the runners and, should the weather be unseasonably warm on that day, an even greater potential exists for fatalities; and,

WHEREAS, an 8:00 A.M. starting time would enable more runners to complete the marathon in the cooler morning hours and thus substantially lessen the health risks posed by finishing the course in the heat of the day;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recommends and urges Pittsburgh Marathon, Inc. to change the starting time of the Pittsburgh Marathon from 10:30 A.M. to 8:00 A.M. in the interests of the health of the runners.

Mr. Wagner moved to adopt the resolution.

Michelle Madoff seconded the motion.

Mr. Wagner:

Discussion. Mr. President and members of Council, this resolution is an outgrowth of our public hearing this past week. As you all know, we had, I think, an excellent public hearing where we had excellent testimony from both sides pertaining to the Pittsburgh Marathon in particular and also road races in general in the City of Pittsburgh.

Several people that testified indicated, and one was a doctor, that we are facing a severe potential health hazard by having a marathon start at such a late time, 10:30 a.m., during the month of May. As a result of that

testimony and others that spoke, some of which are race coordinators, I did a little research to determine if that does, in fact, present a health hazard to the runners on that day, with a 26 mile race. The more information that I have found indicates that we, as a City, are jeopardizing ourselves, I think, with a fine event by starting it at a late point in time.

I did some research on temperatures; I called a meteorologist, a well-known local meteorologist, Joe DiNardo. He stated to me what the average temperatures in mid-May would be and he indicated that on rare occasions we have hit the 90's in mid-May. If that, in fact, were to occur on the day of the Marathon, we could have many serious accidents with those runners and could possibly have fatalities.

Last year there were slightly more than 2000 runners in the Marathon. We treated in the field along the race 240 runners. At the end of the race we treated 360 runners. Last year the weather conditions were ideal for running. They were cool, the humidity was down. It started at 10:00, a half hour earlier than is proposed for this year.

What I am saying is that unless we take safety and consider that to be the number one criteria for this race, we as a City are jeopardizing, I think, a fine event.

Just to give you an example of the difference in temperature, and this is the information provided to me by Mr. DiNardo, no matter what the temperature is that day, let's just say, use an arbitrary figure that it's 50 degrees Fahrenheit, at 8:00 in the morning. It is 10 degrees hotter at 10:30. If it's 60 degrees at 8:00 in the

morning, it will be approximately 10 degrees hotter at 10:30. That same ratio of temperature will follow throughout the hours of the day.

So, if you have a marathon race that can be run by the fastest runners in approximately 2 hours and 10 minutes and by the slowest runners probably anywhere from 5 to 6-1/2 hours, what you're saying is that if the race begins at 10:30 a.m. in the morning, the average runner will probably finish about 2:30. The fastest runner will finish about 12:30 and the slowest runner about 4:30. You are in the heat of the day. Not only that, as you know, when you run your body becomes more fatigued. The longer you run, the more fatigued your body becomes and the hotter the day is getting. So, consequently, by moving the start time to an earlier start time, you reduce the potential of health hazards and injuries in the race.

We have a 6 mile race, a 10 kilometer race, the Great Race. We start that race at 9:00 a.m. in the morning. Here we have a 26 mile race we're starting at 10:30.

All this resolution is doing is simply suggesting and requesting, and it's a wish, it's a wish of Council, that the Pittsburgh Marathon Incorporated and the Administration reconsider the start time of this race and move it up from 10:30 to 8:00 a.m. It can be done, it's possible. Notices can be sent out to the people and the people that would be most pleased would be the runners.

For that reason I am requesting your support for this resolution.

Mrs. Masloff:

Mr. President, it's my understanding from the testimony that we heard that day, they told us that they

specifically couldn't start earlier because they couldn't get the volunteers out that early along the line that they needed. It was also my understanding, from what the doctors said, that that was safe. The doctors that testified said that a 10:30 start was safe. They've been nine months in negotiations in coming to this conclusion, the runners, the clergy, the doctors all agreed that this was alright and the reason they didn't start at 8:30 was that they couldn't get people out along the road who volunteered to help. At least that's my understanding of it and that's why they came to the 10:30 time, unless I'm mistaken.

Mr. Grabowski:

I intend to vote against this resolution primarily based on the facts that Sophie just stated. The reason that this race is starting at 10:30 is because there were several months of negotiations with all principles involved and this was the best time derived. And for Council just to merely pass this resolution and say, "Hey, all that work and effort that you people put into this is going to be ignored", I think is inconsiderate of us and I don't think that we should be passing this resolution.

Mr. DePasquale:

As I stated at the meeting, I suffered heat prostration, actually it was on the island of Guadalcanal about 40 some years ago. We had a 20 mile hike with a full pack, what have you, and a high sun, as Bob Prince used to say, and after about an hour or an hour and a half we were dropping like flies.

I certainly agree with Councilman Wagner that if that race starts at 10:30, there's going to be some fatalities or near fatalities if it's a warm day, and the chance is very good it's going to be a warm day.

Mr. Givens:

I think most of the leaders that were in opposition to the race being on Sunday was the fact that it was disturbing the church services. Eight o'clock is ever worse than 10:30 because most services are in the morning hours, primarily between 8 and 12 o'clock, really between 8 and 11 o'clock, getting out at 12. So, by having it at 8 o'clock, we're going to be really inconveniencing the people both coming and leaving most of the church services within the City of Pittsburgh.

The second point is that there's been a lot of advertisement that has gone out on this race. Posters have been printed, material has been distributed. For us at this late hour, only two weeks from the race, coming up and saying that we want to change the hour, I think, is going to cause a tremendous amount of confusion.

The Chair:

Let me just add something, Jack. It is a wish of Council, we have no authority whatsoever, and there has been negotiations. The way I understand it also is that television is involved and it would be very difficult to change now. But it's a wish of Council, that's all it is.

Mr. Wagner:

I'd like to add in response to some of my colleagues' responses, I believe that the official position taken by the Administration to not have road races for 50 weeks out of 52 during the year is in response to the church community and is, in fact, addressing those concerns.

This concern here is an outgrowth of that hearing and I know I heard the physician say at that hearing that we are jeopardizing the health of the runners by

starting at a late time. I believe that if it's the help or the people working in the race, it's just a matter of them getting out there two hours earlier, and I don't think there's a problem in doing that.

Material that has been distributed, if there's 2500 runners, it's a matter of sending out 2500 notices changing the time, and I think that can be corrected. However, I do think the important point here is that the number one issue in this race has to be safety and safety to the runners is what must be paramount and with a late start time, to me, it is not the paramount issue. By moving it up we tremendously reduce the potential of accidents and I think that should be the intent. If in fact we had serious accidents, and we were lucky last year not to have it with 600 people out of 2500 treated, if in fact we had a serious accident, I can think of nothing that would be more embarrassing to all of us with this race. I hope we don't, even if it starts naturally at 10:30 in the morning, but if we approach a day that has an 85 or 90 degree temperature with a runner out there running and not knowing when to stop running, we potentially could have that type of accident and I think for that reason it's important for us as a Council to send a message that we would like to see an early start time.

The Chair:

Jack, would you consider amending this to the year of 1987? We're not going to do anything this year, you know that, I know that; it's set. But I think if you amend it to the year of 1987 you'd probably have a lot more support here and they'd go back and rethink their positions, everyone would rethink their positions. It's just a suggestion.

Mr. Wagner:

Councilman Woods, in 1985 it was 10:00. In 1986, it's 10:30. In 1987 it may be 11:00, I don't know. I'm concerned about this year and I would like to have input, obviously, to next year also. I think by passing this resolution, at the very least, even if it did not have an impact this year, even if the Pittsburgh Marathon Incorporated did not change the time and the Administration didn't change the time, they would know that next year we wanted the time changed.

The Chair:

That's why I was suggesting making it '87.

Michelle Madoff:

It seems to me, if memory serves me well, that these races are run in other cities where the temperature is even hotter, and, while I would like to support my colleague who, I think, his intentions are very well taken, he's concerned first and foremost about the health of the people and that's the people he represents and it's very commendable, the problem really is one of responsibility for oneself. If anybody here were running in a race and I know that — Do I still owe you money for riding the bicycle? Did I pay you?

The Chair:

No, you paid.

Michelle Madoff:

I paid? Okay. When Mr. Woods undertook to bicycle for a charitable cause and he got people to support him, he had to stop when he knew that his health couldn't handle any more, and I think anyone running in a race has to take that responsibility for themselves.

And while I agree that it would probably be more desirable to run when it's cooler, you have no guarantee that the same people running when it's cooler aren't going to be running past the time when it's hot anyway and should be dropping out and not making it an ego situation when their own health is involved. One must take responsibility for oneself and I agree with my colleague, Mr. Woods, it's after the fact. There's nothing we can change at this point and I think the input should be for next year and perhaps something with the Committee to see that they instill in the runners the sense of protecting their own well being for their loved one, not only for themselves.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Wagner
Mr. Pollock	

AYES 3	NOES 5
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VOTING NO:

Mr. Givens	Mrs. Masloff
Mr. Grabowski	Mr. Woods
Michelle Madoff	(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Michelle Madoff:

On another couple of items, Mr. Chairman, it has never been my style to

pretend something isn't happening and to try to sweep something under the rug and since I'm going to be an issue today I would like to address it very briefly.

I understand the Law Department, unbeknownst to me, sent down the claim for my broken arm that took place here in Council. I just want to report in addition to what is here and listed in the letter as to my out of pocket expenses. Attorneys have asked me why I didn't ask for more or go back with a counter offer. I had asked for forty based on out of pocket expenses and on the fact that I will probably have some arthritic problems. Dislocations, unlike breaks, are never the same; they just never heal. I have limited use of my arm; I cannot put my arm behind my back. The public media, newspaper, were here the following day when Brother Richard brought me in and said, "Did we make it better?" In other words, "We were very remiss and hopefully we've corrected the problem." There was no guardrail up when the camera was up. Fortunately, my accident wasn't even more severe; it could have been someone else and it could have been a very large claim against the City.

One item that's not in here, I believe, I just scanned it, is that I did have someone — The reason I was able to go to work immediately was that I hired someone to look after me. She was with me constantly, cut my food, dressed me, bathed me, drive for me. But I also had to change my car. It has a rack and pinion steering and I can't park it, I still don't park very well on the left side of the street so anybody who goes out and sees the car that is never parked right, it's mine if it's on the left side; the right side I do better.

Basically, the \$15,000 takes in almost out of pocket expenses, it was about \$12,000 out of pocket and the rest

is in case I have to go back to a doctor and I have, since I put in the claim, been to therapy at Montefiore on an emergency basis. My record at Montefiore can be checked and I might point out that Marv Fein was my attorney when I was in an accident many years ago where I injured my neck and this arm directly impacts on my neck.

I think the public ought to know the reason I'm settling as low as I'm settling is that I don't want to go to court. I don't want the taxpayers to pay more than just my cost. If it ends up where I have to pay a lot more and I have problems with arthritic or other problems, so be it. But I think I'm taking what I consider a fair and equitable and very considerate role and since that's going to come up I thought I ought to address it.

If anybody would like to talk on that subject fine but I've got another subject.

Mr. Grabowski:

Mr. President, just one comment. I think in light of the testimony that Michelle just gave, you should take it easy on the fines in the future that you impose on her.

Mr. DePasquale:

That reminds me, can I still sue the Marine Corps?

Mr. Pollock:

Can I ask that the testimony that Michelle just gave now be carried over to Wednesday so that we don't have to go through that again on Wednesday?

Michelle Madoff:

New subject. Mr. President, you

had to leave, I believe you had a meeting, when we were discussing the photographer and I believe Mr. Givens was running the meeting. I'm not sure; correct me if I'm wrong. We discussed having a photographer and we battled that, we discussed it back and forth whether we should hire one photographer, whether we should use the photographers that work for the Cable in the City.

My understanding is that I'm to submit my last bill for \$75 for a prior photographer we hired and that those bills would be paid out of "consulting fees" we use for attorneys or consultants or whatever, that are available to all of Council. I'd like clarification but I want to show you some pictures if I may because there are two other subjects that I wish to address and they address the photographs.

The Chair:

Here's what we're going to do. We're going to have our regular monthly meeting of Council in the Conference Room —

Michelle Madoff:

When is that?

The Chair:

As soon as we get this meeting over with.

Michelle Madoff:

Alright but then I'll go on with the issue. I would like to share with my colleagues, if you will quickly pass these pictures along, two subject. The first one is on garbage.

We went out and we hired the photographer and he took some pictures

Downtown and I must tell you that it is still early in the evening. We had Mary Beth Salley sit here and say, "The problem is that I had a baby and we've got these laws on the books and there's no enforcement." I would like to ask my colleagues on a rotating basis whether we would each take turns, because we really care about keeping our City clean, of going down to the magistrate's court when these hearings are being held — I will personally go to one or two and I'd like the others to do the same — to reinforce that we really care about what's going on in the City.

I didn't bring the article but I picked up an article this morning about the Schenley Park Oval. It's a pigsty. This is the Downtown part of our City, it's referred to as the living room of our City and Mr. Woods, what happens is when my aide went out to take the photographs, she went out about 5:30 or 6:00 and they were neatly piled. I went back because I had to go to a citizen meeting and I didn't get back until 11:30 at night and I drove around the streets and the garbage was strewn all over the place like a hurricane had hit and the street people were going through the garbage and I saw rats running across the street across from that building down there, what is it, it's like a little mall, a theater mall. Not the Warner but the Warner also had garbage in front of it about a block up.

It's really a terrible problem and I think those pictures save a lot of us the trouble of having to go out.

Mr. Pollock:

Where did you get pictures of my apartment?

Michelle Madoff:

I would very much like the support

of my colleagues that a commitment would be made on a voluntary basis for us to monitor the courts to see that someone is sitting there. I know in the environmental days it was very productive to know that somebody cared representing the community.

You know, laws without enforcement is an exercise in futility and if the Downtown is a pigsty, how can we consider ourselves a beautiful city? That's one item that I just wanted to share with my colleagues.

The other pictures that were taken are equally serious. I'd like everybody to take a quick look at these. Do you recall that I asked somebody to go up and take McArdle; frankly, I don't have good enough pictures of McArdle but it gives you the flavor. I don't know how many millions of dollars were spent on the McArdle Roadway.

I spoke to Mr. McDermott; they are going to be spending more money. He tells me that in the last three years, you know, the McArdle Roadway was under construction or closed down for some seven years. The only major route up to the mountains. When you go up that road it's an embarrassment. Mr. McDermott says that in the last three years, for some peculiar reason, the street has deteriorated faster than usual.

We have a problem with drainage. It seems that the roads were supposed to be cleaned out. I guess the catch area behind this wall, which is not really a retaining wall but just to keep boulders from going down, if you look at one of those photos you're going to see a boulder sitting right on top of the wall. If that boulder rolls over, somebody is going to get killed, somebody is going to get their car hurt. The damage to us, because we're the taxpayers, is a lot more than \$15,000.

I have some great concerns about why, in the planning of that bridge, this Council did not take a more active role to see what was really going to happen. You know, we get a snow job. But I don't understand the logic. Can anyone here explain the logic of not doing the street at the same time, repaving in the last months. It would have been easier, cheaper, the equipment is there, it would have been done, it would have looked great. Item one.

Item two, having the water from PennDOT being captured in the winter and going over the hill, causing this erosion, this accelerated damage. We already have a lawsuit and they come to the City when it's not out fault; it's PennDOT's fault. We still have the drainage problem or the pipes that are plugged up and they're going to be constantly filled up and it's a really serious problem. But the most important thing is that we've spent millions and we're going to go back and spend hundreds of thousands more and obviously that street and the bridge is going to have to be closed down even for a few hours now and again, for days on end. I don't understand how that could be allowed to happen and I would appreciate it if somebody would do something about it. I think probably the thing to do is a post agenda; what do you think, Mr. President?

The Chair:

I think we should have a post agenda on it.

Michelle Madoff:

Okay but we've asked for material and it's being coalated. Should we send a letter then to Mr. McDermott and Lou Gaetano and Dan Pellegrini asking for a post agenda at the earliest time that the materials are available, not to exceed,

say, one month from now on a Wednesday?

The Chair:

Mike, will you handle that?

Michelle Madoff:

Thank you very much. And I would like my letter, we have one month, I believe, on the refuse problem, we're supposed to get our feedback as to how the claims are going, what the courts say, how they're citing, and whether the same people are causing the same problem again, the garbage problem.

So, those two issues will be before us within the next month and I really ask that Council take them very seriously.

Mr. DePasquale moved to excuse Mr. O'Malley for absence from the meeting.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. DePasquale moved to approve the Minutes of Monday, March 17, 1986, Monday, March 24, 1986, Monday, March 31, 1986, Monday, April 7, 1986, and Monday, April 14, 1986.

Mr. Givens seconded the motion.

Which motion prevailed.

And on the motion of **Mr. DePasquale**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

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Monday, May 12, 1986

No. 19

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, May 12, 1986

PRESENT:

Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

ABSENT:

Mr. DePasquale
Mr. Grabowski

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

We're going to defer from our regular order of business today for a moment. We have a resolution. Ms. Madoff?

Michelle Madoff:

We have with us today a very esteemed honored guest, Mr. Hazo. He's a distinguished poet, he's brought to our City as well as Washington, D.C. a series of the most important contemporary poems written in English or translated into English.

Mr. Hazo, over the past two decades, you have included such well known individuals as Princess Grace of Monaco, the Russian Poet, Yevgeni and the great American writer, James Wickey and jazz singer, Cleo Lane.

We at City Council are pleased to honor you today with this resolution and to recognize the force you've exerted in creating a different dimension of cultural life in Pittsburgh. Please stay here in our community and continue your fine work.

Michelle Madoff presents

No. 824 WHEREAS, Dr. Samuel Hazo, Professor of English at Duquesne University, founded the International Poetry Forum in Pittsburgh in 1966; and

WHEREAS, Dr. Samuel Hazo, for the past two decades, has provided an opportunity where "people could appear

and speak without censorship of any kind", and;

WHEREAS, the creation of the International Poetry Forum has enhanced the quality of cultural life in Pittsburgh by presenting poetry, not only to those in a university setting, but to ordinary men and women in a public place; and

WHEREAS, Dr. Samuel Hazo, by bringing poets and writers from all over the world to Pittsburgh and by receiving recognition for his own poetry, has become a cultural ambassador for our City; and

WHEREAS, Dr. Samuel Hazo, in April 1986, received the Theodore L. Hazlett, Jr. Award for Excellence in the Arts in Pennsylvania in the field of literature.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh, join in offering our congratulations to Dr. Samuel Hazo for his outstanding cultural contributions to our community.

Michelle Madoff moved to adopt the resolution.

Mr. Givens seconded the motion.

Which motion prevailed.

Michelle Madoff:

I'd like to ask Mr. Hazo to say a few words. He has written a book which is about to come out in publication called "The Pittsburgh That Starts With You". This is some of the excerpts, the beginning of it. There are already three or four thousand copies already in order.

I would like to have his brother, Robert Hazo, please rise to be recognized. I don't believe that your

wife, Marian Hazo, is here as yet. She couldn't park, right? She would have been towed. I had hoped that Judge Barry would be here; he sends his deepest respects. He wanted to be with us and was very excited that you were getting this resolution.

Dr. Hazo:

The first thing I would like to do is to thank Michelle and Judith Aaronson and the members of the Council for the resolution.

As I was waiting in Mrs. Madoff's office she said to me, "You might be asked to say a few words." So I had from the time we left her office until I arrived here time to think of what I wanted to say. One has to be careful politically about what one chooses to say.

I have been working on a book about the City of Pittsburgh and in it there is a brief comment about a small bronze bust that is on the main floor of this building. It's of a local official, years ago, named William Flynn. You have to look hard to find it. But that bust was done by a Russian sculptor who also did the main statue for the New York World's Fair in 1936 and many, many other things. He has since died but I had occasion to meet him before he died at the age of 82 on West 62nd Street in New York. This is a man, by the way, who knew Rasputin, he knew him. It's not often you meet somebody like this. So, he said, "They asked me if I'm a Democrat or a Republican." He said, "I'm a Monarchist. I pledged my allegiance to the Czar and he never released me."

I'm not a Monarchist, I'm just a citizen of the State of Pennsylvania and, in that capacity, I thank you very much for this honor. Thank you.

Mr. Givens for Mr. DePasquale presented

No. 787 Resolution amending Resolution No. 196, effective March 19, 1986, entitled: "Providing for a Contract or Contracts, or use of existing Contracts for Replacement of Windows at Fire Stations No. 10, 12, 13, and 14 and Police Station No. 4; and providing for the payment of the cost thereof," by increasing the total project allocation from \$60,000.00 to \$76,000.00.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

No. 788 Resolution providing for the issuance of a warrant in favor of Trumbull Corporation (Perry J. Dick, President) in the amount of \$29,322.40 in payment of Extra Work, being in addition to the original contract price of \$4,083, 511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street - Phase I, payable from the Grant Street Trust Fund. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Mr. Givens presented

No. 789 Resolution providing for the issuance of a warrant in favor of

Louis J. Viglione, Inc., in the amount of \$17,967.00 in payment for an Emergency Sewer Contract furnished for the benefit of the City in connection with the repair of a dangerous sewer condition on Old Banksville Road in the 20th Ward, chargeable to and payable from Code Account PW 84-29, Emergency Sewer Replacement. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 790 Resolution providing for a Contract or Contracts, or the use of existing Contracts for traffic signal installation at various locations within the City of Pittsburgh at a cost not to exceed \$199,798.93, chargeable to and payable from Code Account PW 85-03, Signals at Various Intersections - \$24,798.93 and Code Account PW 86-03, Signals at Various Intersections - \$175,000.00.

Also,

No. 791 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for furnishing, installing, removing and relocating certain electrical equipment necessary for Street Lighting in the City of Pittsburgh at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account PW 86-08, Street Lighting Throughout the City.

Also,

No. 792 Communication from Louis Gaetano, Director, Department of Public Works, requesting authorization for Ellen Clair to attend the annual conference of the National Federation of Local Cable Programmers in San Francisco, California from July 10-12,

1986 at a cost not to exceed \$1,025.00, payable from the Community Communications Trust Fund.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens for Mr. Grabowski presented

No. 793 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts, for various public buildings maintenance services at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account (GS8603), Bureau of Repairs & Operating Maintenance, Department of General Services.

Also,

No. 794 Resolution providing for proposed resolution for the amendment of Resolution No. 1283 of 1985, entitled: "Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program, by increasing a line item and adjusting the Summary Totals.

Which were read and referred to the Committee on General Services.

Michelle Madoff presented

No. 795 Resolution providing for an Agreement or Agreements for a Supervisory Update Program for Water Department personnel at a cost not to exceed \$1,250.00, chargeable to and payable from Code Account No. 1922, Miscellaneous Services, Department of Water.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 796 Resolution providing for authorization to enter into an Agreement or Agreements with a Consultant for the purpose of reviewing, recommending and implementing revenue generation at various facilities within the Department of Parks and Recreation at a cost not to exceed \$35,000.00, chargeable to and payable from Code Account No. 1801, Miscellaneous Services, Department of Parks and Recreation.

Also,

No. 797 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Roberta Greenspan to attend a "Seed-Saving Seminar" in Accokeek, Maryland on May 5, 1986, at a cost not to exceed \$50.00, payable from the Frick Park Trust Fund. (PRIOR APPROVAL GRANTED)

Also,

No. 798 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for herself to attend the President's Commission on Americans Outdoors in Baltimore, Maryland from May 28-30, 1986, at a cost not to exceed \$950.00, payable from Code Account No. 1801, Miscellaneous Services.

Also,

No. 799 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Robert A. Wagner, VMD, to attend the Association of Avian Veterinarians Annual Conference in Miami, Florida from June 16-20, 1986, at a cost not to exceed \$950.00, payable from Code Account No. 1852, Miscellaneous Services.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 800 Resolution providing for a Professional Services Contract or Contracts, or to use existing Professional Services Contracts for the development, design, printing, publication, delivery, implementation and/or distribution of public relations, marketing and recruitment materials, strategies or plans of action for the City of Pittsburgh's Job Training Partnership Act Programs at a cost not to exceed \$50,000.00, chargeable to and payable from the JTPA-1 Trust Fund, federal funds.

Which was read and referred to the Committee on Finance.

Mr. O'Malley moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 801 Resolution providing for the sale of property or properties, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 802 Communication from Richard S. Caliguiri, Mayor, requesting authorization for Jean Sickle to attend the annual conference of National Association of Commissions for Women, held in Chicago, Illinois, June 17-21,

1986, at a cost not to exceed \$1,000.00, payable from Code Account No. 1021, Miscellaneous Services.

Also,

No. 803 Communication from Ronald C. Schmeiser, Director, Department of Finance, requesting authorization for Charles Murphy, Robert Smulski and Judy Gula to attend the "How to Supervise People" seminar at the Westin William Penn Hotel on May 27, 1986, at a cost not to exceed \$177.00, payable from Code Account No. 1063, Miscellaneous Services, Department of Finance.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 804 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any in and to the publicly owned properties in the 26th Ward of the City of Pittsburgh designated as Block and Lots: 46-J-140, 46-J-141, 46-J-143 (406 Chautaugua Street) in the Deed Registry Office of Allegheny County for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The property, vacant land, is being acquired for Resale to a developer. The developer will use the property as a site for New Construction.

Also,

No. 805 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any

in and to the publicly owned properties in the 10th Ward of the City of Pittsburgh designated as Block and Lots: 50-H-214, 50-H-215 (432 Wicklow Street) in the Deed Registry Office of Allegheny County for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The property is being acquired by the URA for the purpose of assembling a housing site for the construction of a new single-family dwelling unit. The site is presently being marketed to potential buyers by the Bloomfield-Garfield Corporation.

Also,

No. 806 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any in and to the publicly owned properties in the 21st Ward of the City of Pittsburgh designated as Block and Lots: 22-G-85, 22-G-86 (1008 Kirkbride Street) in the Deed Registry Office of Allegheny County for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The property, a vacant structure, is being acquired for Resale to a developer. The developer will be required to rehab the structure up to Building Code standards.

Also,

No. 807 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Andrew A. Lang, Jr., designated as Block and Lot 22-G-91

(1018 Kirkbride Street) in the Deed Registry Office of Allegheny County for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The property, a vacant structure, is being acquired for Resale to a developer. The developer will be required to rehab the structure up to Building Code standards.

Also,

No. 808 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Theodore J. Hildebrand, designated as Block and Lot 22-G-93 (1022 Kirkbride Street) in the Deed Registry Office of Allegheny County for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The property, a vacant structure, is being acquired for Resale to a developer. The developer will be required to rehab the structure up to Building Code standards.

Also,

No. 809 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Wilford R. McCoy, designated as Block and Lot 22-G-94 (1024 Kirkbride Street) in the Deed Registry Office of Allegheny County for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant

Property Review Committee and the Planning Commission of the City of Pittsburgh. The property, a vacant structure, is being acquired for Resale to a developer. The developer will be required to rehab the structure up to Building Code standards.

Also,

No. 810 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Alice Blackwell, designated as Block and Lot 22-P-280 (1331 Stedman Street) in the Deed Registry Office of Allegheny County for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The property, a vacant structure, is being acquired for Resale to a developer, who will demolish the structure and develop the lot for off-street parking.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 811 Resolution Repealing Resolution No. 357 of 1986, approved April 25, 1986, entitled: "Resolution providing for an Agreement or Agreements with a Consultant for professional services in connection with the establishment of an Office of Professional Responsibility within the Department of Public Safety at a cost not to exceed \$26,000.00, chargeable to and payable from the Department of Public Safety Third Party Payor Trust Fund (DPSTPPTF)." —(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Public Safety.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Pollock seconded the motion.

Which motion prevailed.

Also,

No. 812 Resolution providing for the issuance of a warrant in favor of Eczel, One Zesta Drive, Pittsburgh, PA 15205 in the amount of \$324.56, in payment for Computer Ribbons, chargeable to and payable from the Department of Public Safety, Bureau of Emergency Medical Services Code Account (EMNEAS).

Also,

No. 813 Resolution providing for the issuance of a warrant in the amount of \$34,440.00 in favor of James Karis Inc., 3215 W. Carson Street, Pittsburgh, PA 15204, for payment of contracts for the demolition and removal of 5 - 2 story brick dwellings and 1 - 2-1/2 story brick dwelling located at 821-23-25-27-29-31 Bryn Mawr Road, 5th Ward, chargeable to and payable from Code Account Capital Project Funds, FD 85-01. (PRIOR APPROVAL GRANTED)

Also,

No. 814 Resolution providing for the issuance of a warrant in the amount of \$6,000.00 in favor of James Karis Inc., 3215 W. Carson Street, Pittsburgh, PA 15204, in payment for removal of personal belongings and shoring up the front walls at 830-838 Bryn Mawr Road,

5th Ward, chargeable to and payable from Code Account DTF (Demolition Trust Fund), Pittsburgh National Bank, STF #2.

Which were severally read and referred to the Committee on Finance.

Also,

No. 815 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase and delivery of chairs for the Department of Public Safety, Bureau of Administration, Communications Section, at a cost not to exceed \$10,500.00, chargeable to and payable from the Department of Public Safety, Bureau of Administration Code Account (DPSTPP).

Also,

No. 816 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase of office furniture for the Offices of General Inspections; Office of Professional Responsibility and the General Offices at a cost not to exceed \$40,000.00, chargeable to and payable from the Department of Public Safety Code Account (DPSTPP).

Which were read and referred to the Committee on General Services.

Also,

No. 817 Communication from John Norton, Director, Department of Public Safety, requesting authorization for Police Officer LaVata Foster to attend the National Crime Prevention Institute Retraining Seminar in Louisville, Kentucky from June 22-25, 1986, at a cost not to exceed \$800.00, payable from DPSTPP, Bureau of Police.

Which was read and referred to the Committee on Public Safety.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 818

Report of the Committee on Finance for May 7, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 702

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company (Charles DiNardo, Vice President) in the amount of \$42,473.43 in payment of Extra Work, being in addition to the original contract price of \$208,292.50 on Controller's Contract No. 27831, furnished for the benefit of the City in connection with the Penn Avenue 20" Cement Lining Project; and providing for the payment thereof."

Which was read.

Also,

Bill No. 707

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Astec Industries, Inc. in the amount of Two Thousand Five Hundred Ninety Nine (\$2,599.00) Dollars in payment for the repair and recalibration of one (1) Brodie Stack that is used in conjunction with an AD500 computer and the repair to one (1) Load Cell; both repairs needed for the daily operation of

the Asphalt Plant Division of the Department of Public Works and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 717

A Resolution entitled, "Resolution providing for the issuance of a \$3,000.00 warrant in favor of Stanley & Maudine Drummond in settlement of claim for property damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 718

A Resolution entitled, "Resolution providing for the City Controller to enter into a Contract or Contracts, or

for the use of existing Contracts, to purchase additional memory and accessories for the existing Honeywell Computer."

Which was read.

Also,

Bill No. 719

A Resolution entitled, "Resolution Repealing Resolution No. 216, approved March 18, 1986, effective March 21, 1986, entitled: 'Authorizing and directing the Director of the Department of Finance and the City Controller to establish a Trust Fund to be known as the Business Development Trust Fund (BDTF); and authorizing the deposit of funds for economic development from the repayment of funds advanced by the City of Pittsburgh to the Stadium Authority of the City of Pittsburgh.'"

Which was read.

Also,

Bill No. 720

A Resolution entitled, "Resolution Repealing Resolution No. 217, approved March 18, 1986, effective March 21, 1986, entitled: 'Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to provide funds for the making of loans in connection with the Urban Redevelopment Authority's Business Reinvestment Fund in the amount of \$20,000,000.00, payable from the Business Development Trust Fund.'"

Which was read.

Also,

Bill No. 721

A Resolution entitled, "Resolution authorizing the City of Pittsburgh to enter into an Agreement or Agreements with The Ruhlin Company, Northshore Associates and the Urban Redevelopment Authority of Pittsburgh, whereby the City shall grant to The Ruhlin Company the rights of entry upon, use & access across certain riverfront property in the 22nd Ward, designated as Block 8-J, Part Lot 98, for the purpose of installing, at no cost to the City, an underground drainpipe as part of the North Shore Expressway Project."

Which was read.

Also,

Bill No. 722

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Finance Department, on behalf of the City of Pittsburgh, County of Allegheny and School District of Pittsburgh to transfer its rights, title and interest, if any, for certain Three Taxing Bodies' properties in the 24th and 26th Wards of the City of Pittsburgh to Pennsylvania Department of Transportation. Deeds to be in Quit Claim form for a total consideration of \$14,510.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 730

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Seymour Graphics, 704 Second Avenue, Pittsburgh, PA 15219 in the amount of \$1,717.00 in payment for Printing Services furnished for the benefit of the City without previous authority of law, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the

bill passed finally.

Also,

Bill No. 755

A Resolution entitled, "Resolution transferring the sum of \$150,000.00 One Hundred Fifty Thousand Dollars, From Code Account No. 1167, Index Code 116707, Wages, Regular Employees, Department of Environmental Services, To Code Account No. 1160-1, Index Code 116012, Premium Pay, Department of Environmental Services."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 767

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of C. Lindquist Associates, P.O. Box 7907, 3075 West Liberty Avenue, Pittsburgh, PA 15216, in the amount of

\$788.90 in payment for photographic services supplied to the Mayor's Office."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 819

Report of the Committee on Public Works for May 7, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 708

A Resolution entitled, "Resolution granting unto Haagen-Daz Ice Cream Shoppe, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a Sidewalk Cafe in a portion of

the sidewalk of Bellefonte Street in the 7th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 709

A Resolution entitled, "Resolution granting unto Construction Tool Service, Inc., their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Raised Planted Area and Steps on a portion of the sidewalk of 3500 Liberty Avenue in the 6th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 820

Report of the Committee on Planning,

Housing and Development for May 7, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 729

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 99J.01(a)A(26) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for authorization to the Rehabilitation Institute to expand into five (5) residential structures located at the corner of WILKINS and DENNISTON AVENUES for related office space with seventeen (17) parking stalls, 14th Ward."

Which was read.

Also,

Bill No. 731

A Resolution entitled, "Resolution amending Resolution No. 806, effective August 23, 1985, entitled: 'Providing for an Agreement or Agreements with the Washington Heights Athletic Association for the City's share in the construction of a facility to be used for the organization's programs,' by changing the source of funds." —(SPONSORED BY MR. POLLOCK)

Which was read.

Also,

Bill No. 732

A Resolution entitled, "Resolution amending Resolution No. 789, effective August 23, 1985, which presently reads: 'Providing for an Agreement or

Agreements with the Hazelwood/Glenwood/Glen Hazel Council, Inc. located at 4910 Second Avenue, Hazelwood, and the Urban Redevelopment Authority, for the rehabilitation of a vacant public building located on Second Avenue for use as a Senior Citizens Center,'so as to increase the project allocation from \$100,000.00 to \$280,000.00 and include the Department of Engineering and Construction."

Which was read.

Also,

Bill No. 733

A Resolution entitled, "Resolution amending Resolution No. 795, effective August 23, 1985 entitled: 'Providing for an Agreement or Agreements with the Spring Garden Neighborhood Council and/or the Esplan Citizen's Council for capital assistance improvement programs, in an amount not to exceed \$100,000.00,' so as to remove the Spring Garden Neighborhood Council 'and reduce the appropriation from \$100,000.00 to \$50,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 821

Report of the Committee on Parks and Recreation for May 7, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 712

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contracts for the repair of various facilities within the Department of Parks and Recreation; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 713

A Resolution entitled, "Resolution providing for authorization to enter into an Agreement or Agreements with Bedford Springs Festival Orchestra for the July 4th Evening Musical Presentation in conjunction with the Department of Parks and Recreation, Special Events & Cultural Affairs Summer Programs and providing for the cost thereof, at a cost not to exceed the amount of Nine Thousand (\$9,000.00) Dollars from Code Account 1837, Index Code 183707 City Wide Events, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 822

Report of the Committee on Public Safety for May 7, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 736

A Resolution entitled, "Resolution providing for a Contract or Contract from time to time in connection with the demolition and removal of condemned buildings and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens for Mr. DePasquale presented

Bill No. 823

Report of the Committee on Engineering and Construction for May 7, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 703

A Resolution entitled, "Resolution amending the Title and Section 1, 2, and 3 of Resolution No. 123, approved February 19, 1986 effective February 24, 1986, entitled: 'Permission to enter into an Agreement or Agreements with Calvary Cemetery Relating to the Construction and Maintenance of a Traffic Signal on Cemetery Property Along Browns Hill Road in the 15th

Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 704

A Resolution entitled, "Resolution amending Resolution No. 736, effective September 6, 1983, entitled: 'Providing for an Agreement or Agreements with GeoMechanics, Inc. for Engineering Services in connection with the Design of the Rehabilitation of the Monongahela Incline Support Wall; and providing for the payment of the cost thereof,' by providing for a Supplemental Agreement or Agreements and by increasing the total project allocation by \$8,000.00."

Which was read.

Also,

Bill No. 705

A Resolution entitled, "Resolution providing for a Contract or Contracts for Sidewalk Construction and Reconstruction at various locations in the Spring Garden Neighborhood, including work on private property and other work incidental thereto; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff presents

No. 825 WHEREAS, the loss of 120,000 jobs in Western Pennsylvania has resulted in an unemployment rate of 9.9% for white workers and a devastating 34.5% for black workers; and

WHEREAS, current attacks on affirmative action by the Reagan Administration is a major area of concern for black trade unionists and black workers because many employees no longer feel compelled to employ them; and

WHEREAS, the Mayor of the City of Pittsburgh proclaimed Saturday, May 3, 1986 as COALITION OF BLACK TRADE UNIONISTS DAY to focus attention on the unemployment of black workers throughout Western Pennsylvania; and

WHEREAS, the historic conference sponsored by the Coalition of Black Trade Unionists, the first of its kind in the history of Pittsburgh, successfully educated, informed, and brought attention to the contributions of black trade unionists and workers in Western Pennsylvania.

NOW, THEREFORE, BE IT

RESOLVED, that the Council of the City of Pittsburgh hereby recognizes this successful and historic conference sponsored by the Coalition of Black Trade Unionists to raise public awareness of the black worker in the labor movement and in our community.

Michelle Madoff moved to adopt the resolution.

Mr. Givens seconded the motion.

Which motion prevailed.

Michelle Madoff:

I have a couple of items, Mr. President. I happened to be speaking to Malcolm Prine about security at the Stadium and he has asked to see what we can do as a body to provide security, not inside the Stadium, not on the area where the company that runs it is looking after the security, but to do security for people who are going to their cars afterward. There was an episode that could have been much more serious than it was. There was a mugging on the way to a car.

I don't know, and I don't know if anybody else on this Council knows, what is the status of the number of police that we have right now. I know we're 105 police below minimum security. I know that we put on a class of 40 and we lose 50 by attrition. I know that we have police officers on vacation, we have police officers on workmen's comp, we have police officers with vehicles down so they're not out doing their thing.

I know we're going to revamp the Police Department but wouldn't it be nice if the elected officials were informed as to what the plans are? I would like very much to hold a post agenda to get that information.

The Chair:

I'm sure Mr. Wagner would do that for us. But I suggest that Malcolm Prine, if he has any problem with security and the police over at the Stadium, that he take it directly to the Administration and to the Stadium Authority.

Michelle Madoff:

I'm repeating this, this is not police in the Stadium. The City of Pittsburgh has its own police, named City of Pittsburgh Police. And I don't think that the Stadium Authority has the authority to get City of Pittsburgh Police. That's something we have to do here.

The Chair:

We don't have the authority either, the Administration does and that's why I suggest that Malcolm Prine go right to the Administration.

Michelle Madoff:

I still think if the support came from this Council it would not be detrimental. It might help the Administration understand what the problems are.

On another matter, as you may recall, last week we took some photographs, which we circulated, of garbage in the Downtown area. I requested to get some idea of what kinds of fines were being levied against various entities and it seems that the following cases heard in Housing Court on May 5th, the penalties imposed were: Lloyd's Youth Center, I don't know who they are but they got a \$25 fine and costs of \$23.50; Weiner World, which I believe is in Oakland, got \$25 and costs of \$23.50; Joseph Ella Zwiskey for dumping, there's a \$100 fine, the same costs; Applebee's, four different cases and the total was

\$97, four different cases; Hite's Drugstore was dismissed and picked up by the City; Mr. K \$25, who's Mr. K, and \$23.50 for costs; Fotohut, \$25 and \$23.50 costs; and the Fulton Building, the big Fulton Building, \$50 with \$23.50 costs; and the City Club \$200 with \$23.50 costs.

I don't know how many times these people were cited. A \$25 fine is a slap on the wrist. I would like to know why one was fined \$200 and another one \$100. It would be very interesting to me. And I would like to see what is going to happen with the rest of the citations because we plan to go down and take more pictures in a couple of months. We'll give them two or three months to clean up the act, see that they're cited, and then go back Downtown and see if there's any improvement. \$25 is cheaper to pay than to get it cleaned up and that's the sad part.

Mr. Wagner:

Mr. President, I'd just like to respond to the security issue. We are sitting without information as to the future of the Police Bureau and I think that's information that all Councilmembers would like to know, including myself. If I knew that I would relay that information to you but I'm not aware of it.

I would like to say, though, that I may be suggesting some ways in the future to address that problem. In particular, the problem at the Stadium, this Council discussed a year ago when there was a stabbing on the Fort Duquesne Bridge and the need for increased security around the Stadium. I believe the suggestion was made at that time that we better utilize police officers around the circumference of the Stadium, particularly at the four gates,

and we suggested not only an officer outside of each of the four gates but also an officer on the other side of the bridge at Point State Park.

A further suggestion was made to better utilize canine dogs because they are so effective with crowd control and they are a deterrent to crime, especially in those types of situations.

So, Councilwoman Madoff, I'm not certain if you would like to again suggest that idea but we did a year ago and I think it would be good for this Council to make a similar recommendation this year.

Michelle Madoff:

I think the issue is much broader, I think it's time that we held a public hearing, cablevised, and we get some really committed answers to what's going to happen with our Police Department. I don't think anybody knows and I think it's really disgraceful that when we go out to speak and I get asked questions all the time, I can't answer them.

Michelle Madoff moved to excuse Mr. DePasquale and Mr. Grabowski for absence from the meeting.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Wagner moved to approve the Minutes of Monday, April 21, 1986 and Monday, April 28, 1986.

Mr. Givens seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Monday, May 19, 1986

No. 20

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk
Pittsburgh, PA

Monday, May 19, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

We have a presentation from Maribeth Salley Russuto on the Clean City Committee.

Ms. Russuto:

Good afternoon ladies and gentlemen. Thank you for this opportunity to make the presentations today. What we are doing is, we are making presentations on the Council Challenge Program which was operated during Keep America Beautiful Week and of the nine Councilmembers, four members of this City Council participated and I would like to thank all of you for your participation and your volunteers as well as your own individual staffs did a marvelous job of putting it together and it was extremely successful.

The program, as you are aware, was sponsored by Heinz USA and Westinghouse. They were so pleased with the results and the level of participation that they would like to make this an annual event. So, we will look forward to working with all of you next year on the Council Challenge Project.

On to the awards and presentations. We'll start with the bottom and work to the top.

The fourth place winner in this year's contest is Sophie Masloff for her participation in Hazelwood. And for the participation you will receive one trash receptacle to be placed in the business community of your choice. All of the plaques will have the Councilmember as well as the Heinz USA and Westinghouse logos on them.

The third place winner is Councilman Grabowski for his efforts on Crane Avenue in Beechview. You will receive two receptacles for the business district of your choice.

The second winner is Council President Ben Woods. Mr. Woods, for his efforts in Esplen, will receive three cans with your logo on it for the location of your choice.

Of course you all know now who the big winner is. It's Councilman Dick Givens and certainly one of the things that the judges from Heinz and Westinghouse took into consideration was the amount of public and community activity that you have involved in your individualized programs. Mr. Givens, for those of you who don't know, used the "It's a crime to mess up a beautiful City" logo and posters throughout the community on the day of his events and he did his event centering around the Doughboy Statue.

Again, I thank you all for your participation this year and look forward to working with the rest of you next year. Thank you.

Michelle Madoff:

Discussion. Question. I'm just curious. Do you have the report ready for us on the —

The Chair:

Michelle, you are out of order.

Michelle Madoff:

I just want to know —

The Chair:

No. You are out of order.

Thank you very much, Maribeth.

Mr. DePasquale presented

No. 826 Resolution amending Resolution No. 835, effective September 19, 1985, entitled: "Providing for a Contract or Contracts, or use of existing Contracts, for the Fall Street Tree Planting Program at various Community Development locations within the City of Pittsburgh; and providing for the payment of the cost thereof," by increasing the total project allocation from \$50,000.00 to \$65,000.00.

Also,

No. 827 Resolution further amending Resolution No. 1150, effective January 1, 1985, as amended, entitled, "Resolution adopting and approving the 1985 Capital Budget and the 1985 Community Development Block Grant Program; and approving the 1985 through 1990 Capital Improvement Program," by correcting a code account, increasing a line item and adjusting the Summary Totals.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Depasquale moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 828 Resolution providing for the issuance of a warrant in favor of Trumbull Corporation (Perry J. Dick,

President) in the amount of \$45,443.47 in payment of Extra Work, being in addition to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street - Phase I, payable from the Grant Street Trust Fund. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Mr. Givens presented

No. 829 Resolution providing for the letting of a Contract or Contracts, for the design, lease purchase, and installation of high pressure sodium street lighting for the Department of Public Works, for a period not to exceed five (5) years at a cost not to exceed \$600,000.00, chargeable to and payable from Code Account 1545, Street Lighting and amounts appropriated from time to time in succeeding calendar years.

Also,

No. 830 Resolution granting unto Peoples Natural Gas Company, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, Four (4) Vaults to replace existing vaults on a portion of the sidewalks of Beechwood Boulevard, Aylesboro Avenue, Reynolds Street, and So. Linden Street in the 14th Ward, City of Pittsburgh.

Also,

No. 831 Resolution granting unto Carnegie-Mellon University, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a 54" Steam Line across a portion of the Right of Way of S. Dithridge Street in the 4th Ward of the City of Pittsburgh. This request is

made by Carnegie-Mellon University so that they can get steam from Carnegie Institute to Software Engineering Institute Building.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 832 Resolution providing for the issuance of a warrant or warrants in favor of Duquesne University in the amount of \$40,000.00 for the Maintenance Management Seminar due to time constraints imposed in securing the appropriate personnel, payable from Code Account 1142, Miscellaneous Services, Department of General Services.

Which was read and referred to the Committee on Finance.

Mr. O'Malley presented

No. 833 Resolution transferring \$1,412,250.00 from Code Account 1457-9, Worker's Compensation, Police Bureau, Department of Public Safety and \$1,695,000.00 from Code Account 1470-9, Worker's Compensation, Fire Bureau, Department of Public Safety, to Code Account 1402-9, Worker's Compensation, Administration Bureau, Department of Public Safety. This transfer is necessary to cover the cost of indemnity and medical payments to those retired police officers and firefighters who are receiving total permanent disability payments. It is this department's intent to isolate those charges for these individuals who are no longer active employees, within one code account.

Which was read and referred to the Committee on Finance.

Mr. O'Malley moved to suspend Rule 8 by

providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 834 Resolution providing for the issuance of a \$1,175.00 warrant in favor of The Borough of North Braddock in settlement of claim for vehicle damage by a Department of Refuse vehicle, payable from Code Account No. 46, Judgments.

Also,

No. 835 Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Federal Mediation and Conciliation Service for a grant or grants in connection with the Labor Management Programs at a cost not to exceed \$120,000.00.

Also,

No. 836 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for consulting services to assist the City of Pittsburgh as a Washington, D.C. liaison and to work with various agencies of government for the benefit of the City of Pittsburgh, effective June 1, 1986, at an aggregate cost not to exceed \$16,000.00, payable from Code Account No. 1017, Mayor's Office, Miscellaneous Services.

Also,

No. 837 Resolution amending No. 1230, Items E, G, & J, approved December 27, 1985, which authorized the

sale of properties in Wards of the City of Pittsburgh. All of the properties are vacant lots. The reason for the above Amendment is to correct the Lot sizes in the respective sales.

Also,

No. 838 Resolution amending Res. No. 202 E, approved March 19, 1986, which authorized the sale of property in the 17th Ward, being a vacant lot at 20-22 Enon Way, designated as Block 3-M, Lot 332, to Robin F. Grimm & Josephine Stenger, for the sum of \$750.00. The reason for the above Amendment is to correct the Plan lot numbers from 11-12 to Parts 11-12.

Also,

No. 839 Resolution amending Res. No. 109, Item B, approved February 17, 1986, which authorized the sale of property in the 5th Ward, being a vacant lot, located at 2217 Centre Avenue, designated as Block 10-P, Lot 122 A, to Cleveland P. Bates, for the sum of \$750.00. The reason for the above Amendment is to correct the Plan Lot number from Lot 89 to Part Lot 89 on both the Proposal and the Resolution.

Also,

No. 840 Resolution amending Res. No. 1230, Item K, approved December 27, 1985, which authorized the sale of property in the 20th Ward, being lots located at 522 S. Main and Violet Way, designated as Block 19-D, Lot 234, to Fred A. Niepp, Jr. and Sherry B. Niepp, his wife, for the sum of \$1,000.00. The reason for the above Amendment is to correct the name of the former owner from Eileen Niepp to Ellen Niepp. (Not a relative-former wife).

Also,

No. 841 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Dave Farley to attend the regular meeting of the Pennsylvania Service Delivery Area Association in Harrisburg, PA on May 29, 1986, at a cost not to exceed \$350.00, payable from JTPA-1 Trust Fund, federal funds. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 842 Resolution approving a Conditional Use Exception under Section 993.01(a)(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, to the Podiatry Hospital of Pittsburgh for authorization to construct a two-story extension to the existing structure located at 215 SOUTH NEGLEY AVENUE, 8th Ward.

Also,

No. 843 Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performances of certain work in connection with the 1986 Community Development Block Grant Program at a cost not to exceed \$8,229,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program Trust Fund.

Also,

No. 844 Resolution providing for the execution of a 1986 City Planning Department Community Block Grant Program Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh pursuant to which the Urban Redevelopment Authority of Pittsburgh

will undertake the following program in connection with the 1986 Community Development Block Grant Program at a cost not to exceed \$120,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program Trust Fund - CP86-03 URA Planning and Management - \$120,000.00.

Also,

No. 845 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Hill Phoenix Associates for the sale of Parcels 63 and 64 (Hill Phoenix Shopping Center), for the sum of \$150,000.00, in the 3rd Ward of the City of Pittsburgh in Redevelopment Area No. 31. The redeveloper plans to renovate the existing Hill Phoenix Shopping Center. The redeveloper is a joint venture of the Hill Community Development Corporation and Specialized Housing Development Corporation III, Inc. The officers of the Hill Community Development Corporation are: R. Darryl Ponton, Esq., Chairman; William Pryor, Jr., Vice-Chairman; John Bullock, Jr., Secretary; James Holmes, Treasurer; Wilbert Young, Executive Director. John Conley is the President of Specialized Housing Development Corporation III, Inc.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 846 An Ordinance amending the Pittsburgh Code, Title One, Administrative, Article XI, Personnel, Chapter 191, Retirement and Severance Pay, Section 191.06, Compulsory Retirement, by changing the compulsory retirement age for firemen and policemen from sixty-five (65) to sixty-

eight (68) years of age.

—(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Public Safety.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Pollock seconded the motion.

Which motion prevailed.

Also,

No. 847 Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 537, Philadelphia, PA 19105, in the amount of \$2,118.00 in payment for rental of equipment furnished for the benefit of the City, chargeable to and payable from the Department of Public Safety-Third Party Payers (DPSTPP)

Which was read and referred to the Committee on Finance.

Also,

No. 848 Resolution amending Res. No. 744 and No. 952, approved August 15, 1979 and September 24, 1982, No. 744 entitled: "Resolution creating a Special Trust Fund for the receipt and disbursement of funds for training and related bank account" as amended by No. 952 to include disbursement for In-Service Training Trust Fund: By alerting the designation of the Trust Fund created and amending and authorizing additional payments into and out of such trust fund and by renaming The Trust Account the "Public Safety Training Account".

Also,

No. 849 Communication from John Norton, Director, Department of Public Safety, requesting authorization for Paul J. Imhoff, Chief, Dominick J. Cimino, Assistant Superintendent, and Henry Hegerle, Plan Examining Engineer/Training Officer, Bureau of Building Inspection, Department of Public Safety, to attend the 71st Annual Code Development and Educational Conference to be held in St. Louis, Missouri from June 20-27, 1986, at a cost not to exceed \$3,600.00, payable from Code Account 1476, Miscellaneous Services, Bureau of Building Inspection, Department of Public Safety.

Which were read and referred to the Committee on Public Safety.

The Chair presented

No. 850 Petition from the residents of the City of Pittsburgh, requesting a public hearing concerning Councilwoman Michelle Madoff's claim for damages suffered as a result of a job related injury. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which was read and referred to the Committee on Finance.

Also,

No. 851 Communication from Thomas Flaherty, City Controller, submitting the fiscal audit of Support, as of September 30, 1985 and the statement of grant revenues and expenses.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 852

Report of the Committee on Finance for May 14, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 735

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Air & Power Service Company, 972 Mercer Road, Butler, PA 16001, in the amount of \$362.40 in payment for repair of Air Conditioner in the Computer Room furnished for the benefit of the City in connection with the Department of Public Safety, Bureau of Police, Identification Section and providing for payment thereof."

Which was read.

Also,

Bill No. 752

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Patsy Catanzaro Construction (Patsy Catanzaro, Owner) in the amount of \$145.14 in payment of Extra Work, being in addition to the original contract price of \$92,800.00 on Controller's Contract No. 26971F, furnished for the benefit of the City in connection with the Reconstruction of the Wick Street Wall; and providing for the payment thereof."

Which was read.

Also,

Bill No. 753

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Trumbull Corporation (Perry J. Dick, President) in the amount of \$15,259.60 in payment for Extra Work, being in addition to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street - Phase I; and providing for the payment thereof."

Which was read.

Also,

Bill No. 754

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of NICET in the amount of \$1,850.00 covering examination fees for 37 applicants for Level 2 certification in the National Institute for Certification in Engineering Technologies; and providing for the payment thereof."

Which was read.

Also,

Bill No. 766

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Marion A. Monheim, in the amount of \$2,500.00 for consulting services rendered to Michelle Madoff, without previous authority of law, and providing for the payment of the cost thereof." --(SPONSORED BY MICHELLE MADOFF)

Which was read.

Mr. DePasquale:

Mr. President, in regard to Bill 766, the only thing I require is some information as to what type of consulting the person did for Councilwoman Madoff.

The Chair:

Mr. DePasquale, that's money that was out of her account that we have for our personal aides and she transferred it over so she'd have a personal consultant. She doesn't have to give us whatever reason it is.

Mr. DePasquale:

Okay. I was just curious as to what it was for.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 774

A Resolution entitled, "Resolution transferring \$35,000.00 from Code Account No. 41 Refunds - Real Estate Taxes to the MSP (Main Street Program) Trust Fund."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 778

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of James L. Smith Insurance Agency, 304 Cochran Road, Pittsburgh, PA 15228, in the amount of \$1,211.00 for extending Ambulance Attendants & Omissions Liability Insurance Policy Endorsement and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 800

A Resolution entitled, "Resolution providing for a Professional Services Contract or Contracts, or to use existing Professional Services Contracts for the development, design, printing, publication, delivery, implementation and/or distribution of public relations, marketing and recruitment materials, strategies or plans of action for the City of Pittsburgh's Job Training Partnership Act Programs and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 853

Report of the Committee on Public Works for May 14, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 756

A Resolution entitled, "Resolution granting unto Allegheny International Tower, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Vault and Cornice Encroachment in and over a portion of the sidewalk of Liberty Avenue in the 1st Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 757

A Resolution entitled, "Resolution

granting unto Renaissance Federal Credit Union, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, Steps, Ramp and Planters on a portion of the sidewalk of 43rd Street in the 9th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 758

A Resolution entitled, "Resolution granting unto Mary Beth Schwartz, her successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Building Encroachment on a portion of the sidewalk of S. 19th Street in the 17th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 759

A Resolution entitled, "Resolution granting unto Dolores Felsing, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, an Off Street Parking Area on a portion of the Right of Way of Scull Street in the 24th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 760

A Resolution entitled, "Resolution vacating Conkling Street from Wylie Avenue to the Northwestern terminus, a distance of 120 feet in the 5th Ward of the City of Pittsburgh, excepting and

reserving an easement for the 6-inch water line and 15-inch sewer line."

Which was read.

Also,

Bill No. 761

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for - Haslage Plan IV."

Which was read.

Also,

Bill No. 762

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for Pittsburgh Technology Center."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 854

Report of the Committee on Planning, Housing and Development for May 14, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 641

A Resolution entitled, "Resolution Repealing Resolution No. 791, effective August 23, 1985 entitled: 'Providing for an Agreement or Agreements with the Bethlehem Haven of Pittsburgh, located at 620 Smithfield Street and the Urban Redevelopment Authority for renovation of their building at 1111 Penn Avenue, for provision of homeless-support, at a cost not to exceed \$90,000.00."

Which was read.

Also,

Bill No. 765

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Jubilee Association, Inc. for professional services for 1986 at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1103, Miscellaneous Services, (Index Code 110304), Department of City Planning, and transferring \$5,000.00 from Code Account 10, Accounts Payable Prior Years, (Index Code 001008), to Code Account 1103, Miscellaneous Services, (Index Code 110304)." —(SPONSORED BY MR. GRABOWSKI)

Which was read.

Also,

Bill No. 775

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the South Side Local Development Corporation for the implementation of the Main Street Redevelopment Program at a cost not to exceed \$35,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 855

Report of the Committee on General Services for May 14, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 769

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing contracts, for the furnishing and delivery of computer furniture at a cost not to exceed sixty thousand dollars (\$60,000.00) for the Bureau of Information Systems, Department of the Mayor, Code Account No. 1045, Index Code 104505, Equipment, and for payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 856

Report of the Committee on Parks and Recreation for May 14, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 779

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the South Side Sooners Youth Football Program for professional services for 1986 at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1838, Miscellaneous Services, (Index Code 183806), Department of Parks and Recreation, and transferring \$2,000.00 from Code Account 10, Accounts Payable Prior Years, (Index Code 001008), to Code Account 1838, Miscellaneous Services, (Index Code 183806)." —(SPONSORED BY MR. WAGNER)

Which was read.

Mr. Givens:

Before we have a motion, Mr. President, I meant to bring this up Wednesday but because of the other pressing issues we had before this Council it slipped my mind.

I looked throughout all the paperwork I have and I checked with our Finance section back there and I don't know who the principles are, I don't know what the itemized list of things that they're wanting for this \$2000. I'm sure the Sooners need the money but I'd like to make a motion to put this back into Committee for one week so we can get that information by this Wednesday.

Mr. DePasquale seconded the motion.

Mr. Wagner:

Discussion. Mr. Givens, I have all that information in my office. It was

available to you last week and it is continually available to you today. You are free to review that information and if there is any other reason why you choose to hold this piece of legislation I wish you would come out and say.

Mr. Givens:

Jack, I have received document and background information on every bill that was presented to us last week but that bill. I'm sorry, I just didn't receive that information and generally it's attached to the bill itself.

This Council has gotten burned on the few occasions for giving money to various community groups. I have set a standard for myself; that is, I want to see an itemized list. In fact, it's required by the Planning or this Parks and Recreation. Before they can dispense of any money, they have to show where this money is going to be spent. That is not accompanying the bill and I wish you would have had it but I would like the opportunity to look at that information. I think all other Councilmembers should have that same opportunity.

Mr. Wagner:

Mr. President and members of Council, we have had that information in our hands for two weeks; a week and a half prior to it coming into Committee and since it was in Committee last Wednesday, an additional five days.

I think it's rather late to be asking for that information. That information along with every other bill that is part of this legislation has been available to every member of Council for two weeks and for a member of Council to say that it is not available, I disagree with and I can say that the South Side Community is very worthy of this legislation, the

organization that it's representing is very worthy of this organization. There are only two such football programs left in existence in this City. This program is struggling financially in the South Side. Without this assistance in funds it will exist any longer and for that reason I strongly support this legislation.

Mr. Givens:

Jack, I strongly support it too but I am not going to act on it until I get that specific information, study it and talk to the people. I've been burned once in this Council and I'm not going to be burned again.

Our Finance Department did not have it. When I went to get it, even prior to this meeting, I could not get that information. That's all I'm asking for. And I think if any of us put anything into any bills that we should have background documentation supporting it. It was not in this bill.

I had it as a note on Wednesday to bring it up; I did not bring it up. I'm bringing it up now. I can't vote on it because I won't vote on it until I get that documentation.

Mr. Wagner:

Mr. President, I'd like another comment. Mr. Givens, you have not come to me for that information and if you are flat out against the support of a South Side organization that is very worthy --

Mr. Givens:

Absolutely not; I'm on record as saying that I am not.

Mr. Wagner:

-- that is very worthy of this

legislation, I would suggest that you come out and say that.

I will say this to you. I will stand up and be heard in terms of supporting this youth football program and I would strongly suggest to every member of this Council that they do the same.

This organization has been in existence for a number of years, over ten years. They can prove it, they can validate it with brochures, they are very worthy of this support. Other neighborhoods in this City have received the same type of similar support in the past, of which you have supported that legislation. Now, if you in any way have a problem with the South Side community with this legislation, I would simply request that you come out and say that and not hold up this legislation. This legislation is very worthy, the information that you're requesting has been available, and now is not the time to request it.

The Chair:

Let me put this all back in perspective. Let's not get personal. The motion was to recommit until this Wednesday. No one said they were against the legislation or for the legislation. In fact, Mr. Givens said he was for it but he wants to see some documents. It's just to recommit.

Now, Mr. Pollock, on recommitment only.

Mr. Pollock:

That's exactly what I was speaking to. I don't think the purpose of recommitment is to accomplish what was supposed to have been accomplished in the Wednesday Committee Meeting. That's not why we have Wednesday Committee Meetings. If people weren't

there or if they didn't ask questions on Wednesday, the legislative process runs its course. We have final votes on Monday and if someone wasn't able to accomplish what he or she should have accomplished on Wednesday, a motion to recommit is inappropriate.

The Chair:

Well, as President of Council I disagree with you. It happens here many, many times. There are many pieces of legislation that a particular Councilmember may not have paid attention to on a Wednesday or may not have been here, and I can look around at everybody in this room, all nine of us, and ask that at one time or another, because we didn't have the information or have a chance to look at it, has asked for recommitment. So, that's what I said. Let's not get personal.

Mr. Wagner:

Just one question, Mr. President. This is coming out of Parks and Recreation Committee and the Chairperson of that Committee, Councilwoman Sophie Masloff, appears to be very comfortable with this legislation or she would have requested recommitment. I think as respect for any Councilmember on this Council, that Committee Chairperson and also myself that strongly supports this legislation, if the Committee Chairperson has not requested, I would just strongly request that this legislation move forward.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Woods
Mr. Grabowski	(Pres't)

AYES 5 NOES 4

VOTING NO:

Michelle Madoff	Mr. Pollock
Mrs. Masloff	Mr. Wagner

And a majority of the votes of Council being in the affirmative, the motion was approved.

Mr. Wagner presented

Bill No. 857

Report of the Committee on Public Safety for May 14, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 811

A Resolution entitled, "Resolution Repealing Resolution No. 357 of 1986, approved April 25, 1986, entitled: 'Resolution providing for an Agreement or Agreements with a Consultant for professional services in connection with the establishment of an Office of Professional Responsibility within the Department of Public Safety, and providing for the payment of the cost thereof.'" —(SPONSORED BY MR. WAGNER)

Which was read.

Mr. Wagner:

Mr. President, I think the Record reflects that this piece of legislation was in front of us three or four weeks ago. It came out of the Committee on Public Safety. I did not support the legislation and I did not think at that time, and I expressed my feelings at that time and as part of the Record, that this legislation was not even proper legislation because it identified a certain individual to receive the consulting contract. The legislation should not have done that. There is no need for additional consultants within the Department of Public Safety. We already have a consultant contract going on there; one is enough. This piece of legislation represents \$26,000 in taxpayer money and I feel if it were spent it would be wasted. Consequently, I strongly suggest that it not be supported and that we repeal the legislation.

The Chair:

Mr. Wagner, this is what this is doing, repealing, isn't it?

Mr. Wagner:

Yes.

The Chair:

So you're requesting that we affirm it.

Michelle Madoff:

The vote is aye to repeal.

Mr. DePasquale:

Mr. Chairman, first of all, this legislation was handled very badly. It's the first time in all the time that I've been on City Council that legislation was

submitted to Council for one individual. In other words, if that individual was not to take the job, the legislation as we're doing now would be repealed. It's sort of repugnant that someone would do this and someone in Council would also get together with that party and say, "Okay, if he gets the job we'll okay it and if he doesn't, then we won't." It's so irregular that I never heard of it and I hope I never hear of it again. If this type of legislation comes up one more time and someone specifies it's for a certain individual, I'm going to holler foul. I didn't like it then and I don't like it now and I'm going to vote against the repeal. Either they wanted a consultant in that Department at \$26,000, regardless of who it was, or they didn't want a consultant. You don't specify one individual.

The Chair:

If I'm correct, Mr. Wagner, you initiated this piece of legislation.

Mr. Wagner:

Mr. President, I did not support the original legislation of the \$26,000. As you recall, the majority of this Council voted for that when I strongly recommended not to vote for it. Again, I am strongly suggesting that the legislation be repealed and that we not give the Public Safety Department the \$26,000.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7

NOES 2

(MR. DEPASQUALE AND MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 858

Report of the Committee on Engineering and Construction for May 14, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 787

A Resolution entitled, "Resolution amending Resolution No. 196, effective March 19, 1986, entitled: 'Providing for a Contract or Contracts, or use of existing Contracts for Replacement of Windows at Fire Stations No. 10, 12, 13, and 14 and Police Station No. 4; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$16,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill

pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Grabowski:

Mr. President, I move to adjourn this meeting and meet again on Tuesday, May 27, 1986 at 2:00 p.m.

Mr. DePasquale seconded the motion.

Michelle Madoff:

Don't we have any other business?

The Chair:

He made the motion and it was seconded.

Michelle Madoff:

You didn't give us a chance for any other business.

The Chair:

I stood here and --

Mr. Pollock:

I didn't hear what his motion was.

The Chair:

His motion is to adjourn this meeting and meet again Tuesday at 2:00.

Michelle Madoff:

There's some other business to be discussed, Mr. Chairman.

The Chair:

I can't make another motion unless he rescinds his motion and the second is rescinded, then we can have some other discussion.

Mr. O'Malley:

What was the purpose of the motion?

The Chair:

To adjourn.

Michelle Madoff:

We have a holiday. But I want him to hold off until other business is discussed.

Mr. Grabowski:

Well, Mr. President, out of courtesy to Michelle I will withdraw my motion but I would ask that she pay attention in the future. Councilman Woods stood up there for a few seconds waiting for someone --

Mr. DePasquale:

I'll withdraw my second.

Mr. Pollock:

I didn't hear him say it. Did you say New Business?

Michelle Madoff:

I didn't hear New Business. Did you say New Business?

The Chair:

You don't say New Business. I know how to run the meeting, please.

Now, Ms. Madoff, you have the floor.

Michelle Madoff:

I want to thank my colleague for withdrawing his adjourning of the meeting so I can just address an issue that's before all of us.

Over the weekend I took the opportunity to consult with an attorney with reference to the issue of my injury suffered here in Council when I was hospitalized July 15, 1985. In speaking to my attorney, it was pointed out to me that since no one knew that public officials fall in the same category of the general public, they are not covered under workmen's compensation. If somebody is covered under workmen's compensation in the same way that anybody, including elected officials, medical bills are paid. However, if they have a re-occurrence or if they're disabled, a person on workmen's comp could and has been, in many instances, having their problems and their salary taken care of for life. They become eligible under workmen's comp if they are not able to return to work or if the same injury is the cause of a flare-up at a later date.

The general public, which a

member of the elected Council falls under, does not have that protection. In other words, had I not just dislocated my elbow, and I'd like to clarify that for anybody who doesn't know. There's a tremendous difference between a break and a dislocation. Breaks are usually in a cast for six weeks and you heal generally. Dislocations never heal completely.

My attorney pointed out to me that since I had been to therapy, once in Washington which was \$90 and was not covered under the existing policy that we have with the City which is Blue Cross, Blue Shield, Major Medical; it had to come out of my own pocket. And that when I go to a doctor on an out-patient basis that is not covered under, not entirely, sometimes it's partially covered, sometimes not covered. An out-patient visit with a doctor is generally not covered, not knowing what other problems could occur because of arthritic problems or what have you, and the fact that I cannot do buttons up on the back of any garment I choose to wear, I need someone to dress me, there's a permanent injury, and the fact that I was being, what I thought, very reasonable in saying that I don't want to put the City through a lawsuit, I just want to be reasonably reimbursed, I will settle for what was offered. But since that position has become —

You know, Mr. Chairman, if I did what my colleagues did right now, not only would I be ruled out of order but I would have been fined.

The Chair:

You do it all the time, Michelle. And the reason I'm not correcting them is because you and your aide have been meeting on every piece of legislation when Mr. Perry was reading it. You walk to the back of the hall, you went and

talked, you followed Maribeth Salley out and you sat back there and caused a commotion and now I am showing you the same politeness that you show the rest of your colleagues, and that's none. Now do you want to continue?

Michelle Madoff:

I'm trying to. Tell me when I may continue. I will wait for your instruction because, after all, I always look to my leader for leadership.

The Chair:

Thank you. You may continue now.

Michelle Madoff:

In light of the fiasco that took place by Mr. Ferlo, who is here, I might add, at 2:45 when he should probably be in the Controller's Office doing his job, and by the question on KQV on Saturday which was, "Should Michelle get \$15,000, should she get more or should she get less?" It's like a little boy who brings a rabbit to school for show and tell and the little girl says, "I wonder if it's a male or a female" and the teacher says, "Let's find out; we'll vote on it."

I decided to listen to my attorney and to wait until the reimbursement, see what, if any, other problems occur, what happens with my arm, and to let the matter ride for the time being. I will instruct my attorney that I have to immediately initiate a claim to go through what Mr. Ferlo has requested and that is the courts. Unfortunately, as you all know, Mr. Danny Pellegrini has informed us that that will mean the hiring of an outside attorney so that's going to be more than what I was even asking for which I think is unfortunate. You know, attorneys don't work for nothing; I'm sure that they will want a portion which they build into the claim

which I think is terribly unfortunate.

I also want to point out one very important thing, that any person injured in this City who makes a claim, whether its against the City or against anyone else, if the claim is legitimate, can go to any attorney, almost any attorney I believe, on a contingency basis. In other words, there's no money out of pocket until the settlement time. So, any B.S. rhetoric that people didn't get paid their fair amount because they didn't go to an attorney or they went to an attorney and didn't get their money or they couldn't afford an attorney is nonsense because attorneys take claims on contingency basis.

Subsequently, I will follow procedure, let the wheels of justice grind as slowly as they may, and eventually I believe that justice will be done. I'm glad, though, that someone wasn't hurt more severely than I was. The fact that the guard was not up at the time in front of the camera has been corrected, that the Cable Division of the City showed all the commercial stations the next day how they had made corrections, that they were grievously at fault, it was grievously negligence which they admitted to which is now on all the television station, 2, 4, and 11, in their files. So there's no question of culpability or liability; that's been clearly established.

I think it's unfortunate that Mr. Danny Pellegrini, in pleading the case that I'm willing to settle for so little, reiterated the fact that not only did I see my own doctor but that the City sent me to another physician and they both reaffirmed that I have a permanent damage that could exacerbate and become much more severe as years go on.

We're going to wait and see and

we'll just take that course of action. I wanted to inform my colleagues because I know there was a bill that was read for Wednesday and so that bill would be moot.

Mr. DePasquale:

On the same subject, Mr. Chairman, I want a Parliamentary ruling. In regards to a settlement for anyone who gets hurt in the City of Pittsburgh, I think we're all aware that if the City attorney feels that its for the benefit of the City to settle and not go into court, actually to save money, this is probably the proper procedure. Never, in the 13 years that I've been on Council, have we ever held up a settlement offer by the Law Department. This is the first time and I'm a little curious as to why. Whether it's Michelle Madoff, you, I, or any citizen named Joe Smith, if they get hurt and the Law Department feels its fair settlement — in this case they had two or three doctors verify that the party was permanently disabled, partially disabled, and obviously entitled was entitled to the money.

As far as Council holding it up or throwing it back in the Law Department's lap, that's something else. I wasn't here so I can't really speak out but I wouldn't have been a party to it.

The other one is, I'm curious as to why a public hearing. This is a routine matter, the Law Department has tried to settle with the party and it's Council's ball whether to approve or disapprove. How does this wind up being a hearing? I understand 25 citizens signed a petition, yes. But not on a routine matter. It does not require a hearing and should not be allowed. That's where I want a Parliamentary ruling.

The Chair:

Under the Home Rule Charter, any issue concerning the City that has the signatures of 25 people, we have to have a public hearing.

Mr. DePasquale:

I'm being told that any time a settlement comes up, there can be a hearing on that settlement?

The Chair:

If it's City business.

Mr. DePasquale:

We could have a case now where we could be having hearings five times a week.

The Chair:

We have hearings on things that don't even involve our legislative process and don't even involve our City process. If there's 25 signatures, we have to have a hearing.

Mr. DePasquale:

I'm confused. This is the first time that anybody has ever asked for a hearing in a matter of this type.

The Chair:

On this particular case we'll have to do a little research because if Ms. Madoff does file suit then perhaps there will not be a hearing.

Michelle Madoff:

If I might just respond. My understanding, Mr. DePasquale, was that I got advice from one of my colleagues that there weren't the votes on this

Council to vote for the settlement which I was willing to take and I think was very reasonable.

Some members of Council felt that they didn't want to vote on another member of Council so that I hope that in the future, if any member of Council has a personal issue, if they're involved in a housing, a zoning, anything that they're personal involved in, this Council will not vote, it will go to court on it.

I also would like to point out that it appears there were votes, the votes were there. I have polled this Council and the votes were there to support that settlement. The hiring of an attorney now is going to be more than my settlement, Mr. DePasquale; you're absolutely correct. However, while I didn't want to discuss it today and didn't want to go into it, you're correct, Mr. Chairman, any time a case is in litigation, it cannot be discussed and cannot have a public hearing.

Mr. Pollock:

On another subject. In our mailboxes, I don't think everyone has picked them up yet, is a correspondence from David Donahoe of the Mayor's Office, along with a copy of a letter he received from the DeBartolo Corporation along with a news release. David makes careful attention to point out that he received this correspondence at 5:05 p.m. on Thursday.

In the following day's paper, the news release came out which stated that the Penguins asked for a one-year extension of their lease and that they had received support for this request from the Allegheny County Commissioners. In light of this request and in light of the support of the Allegheny County Commissioners, the DeBartolo Corporation is hoping that the

City and the Public Auditorium Authority goes along with this request for a one-year extension. As my colleagues may or may not know, there was supposed to be a five-year lease as approved by this Council before I came on it last year, when the Civic Arena Corporation was given about a half million dollar rent cut and about near half million dollar operating subsidy along with 11.4 million construction bonds.

Now, it's not my style to pre-judge any issue which might appear before Council at a later date, so I won't address the merits of the request for a one-year lease. But what I would like to bring up at this time is the shoddy manner in which City Government is being treated, for maybe it's actual purpose for the DeBartolo Corporation releasing this information to the City Government in this manner was an attempt to muscle us into a deal. And while the Allegheny County Commissioners are given prior notice and the ability to consent or not consent, and City Government isn't afforded the same cooperation or consideration, in light of the significant concessions that this Council and the City Government afforded this corporation last year is beyond my comprehension, and so I will address that and express my displeasure with that.

I think that the Mayor of this City, I think this City itself deserves a lot more consideration by anybody doing business with the City, but even more so by an entity that received the breaks that the DeBartolo Corporation has received in the past. I wanted to respond to that at this time.

The Chair:

I think the Mayor has and I have, as President of Council.

Mr. Givens:

Mark was not in Council at the time, but the agreement, as I understood, was for a one-year extension. At the end of that one year, the DeBartolo Corporation would come in and tell this Council as well as the Auditorium Authority which I now sit on and represent the people of the City of Pittsburgh and, in fact, this Council to a certain degree.

It was brought up at our executive meeting on Monday; we were awaiting word at that particular time last Monday for this information to come down. I don't know how any company can express themselves other than do it in a professional way by putting it into a letter and giving it to the appropriate people. We are a public body. So, as a result, this is public information. The minute that letter was received by any of us it should have gone public. Now we have to sit down and discuss can we go for another year. That is something that this Council is going to have to look at, the Mayor is going to have to look at, the Auditorium Authority as well as the Commissioners, because we're all in this basket together and we're all going to have to come out with some type of a decision. Any one of those three major bodies, that of the Mayor, this Council, or the Commissioners balking at any agreement that will come up, there will be no agreement. That burden then is rested upon all of our shoulders to make a good decision.

I wouldn't want this Council as a body going out and saying that we're mad at DeBartolo. I think he's doing exactly what he said he was going to do, that when this comes up one year from now, he had to make a decision. He had to make a decision within that one year's period of time that he would continue on. And if we held \$12 million until he

made a firm commitment for a five year contract with us. So we have \$12 million sitting there in a loan that I hope is drawing interest, I'm sure it is, and the biggest problem before all of the bodies right now is what are we going to do about that loan that we took out because that should be exercised and something should be done to the Stadium or we're going to have to put it back in or put it to some other use.

There's a lot of discussion that has to go underway but I felt bad in the fact that sometimes we don't get that counsel but you have to assume that's a major corporation out there and they did it the way I think any major corporation that has 10,000 things going on at one time. They sent a letter of decision from the highest authority of the corporation, Mr. DeBartolo.

The Chair:

We don't like the way it was handled. They went to the news media and the Commissioners first and never consulted with the Mayor of this City or the Council or the Auditorium Authority before coming up with additional demands. Before they did that they should have negotiated with all the parties involved, like they did over a year ago. I think that's what Mr. Pollock is saying, that's what I said, and for us to sit here and talk about what kind of agreement they want in the future, it's useless because we don't know what it is. But I think if someone wants to make a statement here that we're mad, yeah, I'm mad at them, personally, for doing it the way they handled them.

Mr. DePasquale:

I merely wanted to say that my colleagues, Givens and Pollock, both made very good points and certainly what you said in the newspaper the other

day was apropos. It's no secret that DeBartolo is a very good, close friend of mine. However, a year or so ago we changed that lease one time, supposedly. And then within a year they were to say whether they were going to stay five more years or not. Now they're more or less saying, "Give us another year." It's the old story, and I have to agree with Mark Pollock, ante up or else. It's a threatening gesture.

And as you said, there's no use talking about it now because the legislation is going to come up. I just felt that the remark should be made that when this does come up, I'm going to look very, very closely at it. Either they're going to go through with the five year agreement or perhaps maybe we shouldn't extend it another year.

Mr. Wagner:

Mr. President and members of Council, in regard to the same issue, I believe this Council and the Mayor acted in good faith a year ago with the Civic Arena Corporation. At that time, there was no mention of an extension after one year. Never was that talked about. I met privately with Mr. Martha and discussed this whole issue in great detail. We all know since that time we're probably faced with losing the soccer team here in the City of Pittsburgh unless somehow or another they can save it with someone buying the team and keeping it locally. We have lost something right there.

If they think they can come out and play hardball and say, "We need more money to stay" after they have met the attendance figures that they indicated they needed to meet, and they have been met in this City, attendance is up with that hockey team, if they think they can come out and play hardball and come to the taxpayer again to get more money, I

think they're mistaken. And I know as one elected official, I certainly want to see hockey stay in this community but, at the same time, the community can't pay for it. The taxpayer of this City cannot pay for that franchise to exist here.

We made an effort, I think, in good faith a year ago and for the public to believe that we are going to do it again, and me, as one member of Council going to do it again, simply because the Commissioners have come out and said that there's going to be a one-year extension, that does not mean that this Councilmember is going to support a one-year extension.

Mrs. Masloff:

What are the terms of the one-year extension?

The Chair:

No one knows. That's why I'm saying it's useless for us to talk about it. No one knows. They had to give us a date by May 15th, after one year they would tell us whether they were staying for the whole five years or not. Now they're asking for another year on that. But that's why we have to wait to see what they have.

Now, before I lose this, I need a motion that our Wednesday meeting be at 2:00 p.m. rather than at 10:00 a.m. this coming Wednesday.

Mrs. Masloff:

So moved.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Givens:

Mr. President, we had some comments in the very beginning that came as an actual surprise to me when myself and my office had received the First Place Winner of the City Council Challenge '86 Pickup of Pittsburgh. But I could not go by without saying that there are some comments to be made and some of the people that made that possible. Naturally, Linda Noszka from my staff, Aggie Brose and June Coyne were all very instrumental in working very hard to see that come about. We have our Scoutmaster, Michael Murphy from 5530 Keystone Street who brought his troop in there. Assistant Scoutmaster and Coordinator, Thomas McGovern of 5154 Keystone Street. Scout Troop, Three Rivers District, Allegheny Trails Council, Troop 40 was very involved in it. These are young lads.

The point is, and the whole Clean City Committee, is to try to get the youth to change their habits, even if their parents might not change those habits. And these kids, some 12 or 14 of them, were very instrumental and worked for several hours along the Lawrenceville area. Jane Zalewski who is also from Lawrenceville. We have members from the Lawrenceville Development Corporation where we worked at to make them highly aware of what was happening down there and that's Mary Ann Ceoffe. Garfield resident, Larry Coyne and Garfield resident, Michael Hazel.

These are the people that went out there and got the brooms and the shovels and the pitchforks and really cleaned that particular area out. I'd like to bring this group in and make some comments in because part of that competition was to ask the people after they had cleaned up, what were some of their remarks. I think this Council as well as the Clean

City Committee and the Mayor would be interested in what some of these comments were of the young kids and the adults who helped make that part of the City clean. And I'll be very happy to distribute among the people who have worked with me the five litter cans that are at my disposal, the first time the City has ever given me anything other than my paycheck.

Mr. Grabowski:

I move to adjourn until Tuesday, May 27, 1986 at 2:00 p.m.

Mr. Givens seconded the motion.

And on the motion of **Mr. Grabowski**

Council adjourned.

were 46 this year.

People have said to me, "Do you really go to NeighborFair, do you enjoy it?" I would like to say that I do go and what I enjoy about it most is that each community that puts together its own booth, has ten days or two weeks out of the year that they can really hold their heads proud and show what their community has done, to what it's grown, what they're offering the people of the City of Pittsburgh and people moving into the region where to live, and it's just a place where the whole City of Pittsburgh can bask in the glory of being the most livable city.

I'd like to recognize for those that can't see by the cameras that there are significant numbers of the neighborhood residents here. They didn't want to come up but I can see that West End-Elliott is here, Mexican War Streets, Knoxville. So, they're proud of what's happening; I didn't even know that they knew about this presentation today but you should all be proud as well, all the communities that put so much time and voluntary work into this.

So, it gives me great pride to present this to you and also to John DeSantis. And at the risk of alienating about 77 other neighborhoods, I have my Bloomfield painters cap which I bought that day which I'm also going to give to you.

Mr. Wagner:

I would just like to echo what my colleague had to say that that really was the most fantastic NeighborFair and Home and Garden Show that I have ever seen. I was so impressed that I went three times and I could have gone three more times.

I congratulate Mary Lou, John,

your staffs, all the people, all the neighborhoods that were involved and it truly was reflective of what Pittsburgh's all about.

Thank you.

Michelle Madoff:

I would like to tell a story about Mary Lou Daniels. Mary Lou Daniels was directly responsible for my being on City Council. You may want to take the award back now. I had just give 9000 bumper stickers that said GASP Michelle Madoff for City Council to Pa Pit.

Mary Lou Daniels had called me and we had talked about the fact that it was an off-year election because of the new Home Rule Charter and she had applied to the annointed nine who were appointed to select a candidate in an off-year election under the Home Rule Charter to run for City Council. She called these representatives and everyone told her, "You are the most eminently qualified candidate for City Council but you have only one problem" and she said, "What is that problem?" They said, "You're female."

So, Mary Lou Daniels did not run that year but I got angry and I ran. I got 14,000 signatures to get on the ballot. But Mary Lou Daniels ran in a subsequent year and did not win and was removed from her job doing an outstanding job and very much the same kind of work she's doing now, absolutely an outstanding employee, because they said she violated the Hatch Act where other people who ran were not removed from their jobs.

I think this is a very fitting time and at lease someone is recognizing the kind of work that Mary Lou has done for this City. I thought it was important to give a little history, Mary Lou. I am just really thrilled that someone is honoring

you.

Ms. Daniels:

I don't want to allow this to sound like I was the only one that did it so I would like to take a few minutes to recognize the folks that are here, particularly the NeighborFair Advisory Committee who helped us plan this year's NeighborFair. Some of them are here and if you're here, please stand. Ed Ackerman from West End-Elliot; Felix Cocco from Bloomfield; Valerie Dreger from Perry Hilltop; Joyce Kozera from Lawrenceville and the Urban Redevelopment Authority; Beatrice Mahaffey from the Hill District; Pat Stewart from Brighton Heights; Dolly Campbell from Point Breeze and the Mayor's Service Center; Tom Coppola from Knoxville; Colette Hucko from Mount Washington and Mellon Bank; Marge Lubawy from Brookline; Bob Murphy from Shadyside and the Department of General Services; and Randy Zotter from the Mexican War Streets.

I'd also like to recognize the people on the NeighborFair team that are my staff and the staff from the Mayor's Office and Mellon Bank that helped plan this every year and that's Donna Chapman Chernoff from the Neighborhoods for Living Center; Beth Marcello from the Neighborhoods for Living Center; Mina Gerall from the Mayor's Office; Mary Zubrow from Mellon Bank; and Sally Mizerak from Action Housing; and Betsy Fitzpatrick who was a summer intern, a part-time intern in our office for NeighborFair.

Those people really helped make NeighborFair and the representatives of 46 neighborhoods that took part as well as 18 City departments and 5 or 6 non-profit agencies including the Board of Education, Neighborhood Housing

Services, and a number of others that I can't list.

Just a little background, NeighborFair now has three children. Cincinnati, Ohio just held their first NeighborFair, Roanoke, Virginia held their first NeighborFair in September, and Cleveland, Ohio held their second NeighborFair. All three were patterned after the Pittsburgh show. All those folks came in here to Pittsburgh to learn about the show and went back and imitated it.

We have more than 2000 volunteers during the 10 days of the show; they volunteer more than 1400 hours. This does not count the time in the neighborhoods that they take before the show opens; this is only the 10 days of the show. The value of time donated is close to \$75,000. Incurring services donated by major corporations in the City to the show is over \$200,000. We raised private cash donations over \$40,000. The neighborhoods themselves raised over \$46,000 for their part of the show.

I can't take the credit for that. The folks sitting back there and the neighborhood representatives from the 46 neighborhoods from this City have to take the credit for that. That's why it's the best show in the City, that's why everybody is so proud of it.

Thank you very, very much for honoring us.

Mr. DePasquale presented

No. 577 Resolution providing for the issuance of a warrant in favor of Carl J. Bonidie, Inc. (Carl J. Bonidie, President) in the amount of \$4,877.10 in payment of Extra Work, being in addition to the original contract price of \$48,375.00 on Controller's Contract No.

27219, furnished for the benefit of the City in connection with the Rehabilitation of Fire Station No. 7, 16, and 36, payable from Code Account LB 84-01. (PRIOR APPROVAL GRANTED)

Also,

No. 578 Resolution providing for the issuance of a warrant in favor of Pugliano Construction Company (Angelo Pugliano, Partner) in the amount of \$355.00 in payment of Extra Work, being in addition to the original contract price of \$739,000.00 on Controller's Contract No. 27222, furnished for the benefit of the City in connection with the Building General Contract for Construction of Phase 4.1: Plaza work at the Pittsburgh Zoo, payable from Code Account PR 81-02. (PRIOR APPROVAL GRANTED)

Also,

No. 579 Resolution providing for the issuance of a warrant in favor of Conn Construction Company (Converse Branscome, Jr., President) in the amount of \$22,144.50 in payment of Extra Work, being in addition to the original contract price of \$2,536,174.03 on Controller's Contract No. 27563, furnished for the benefit of the City in connection with the Reconstruction of the Pennsylvania Avenue Roadway and Bridge, payable from the Pennsylvania Avenue Bridge Trust Fund. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Also,

No. 580 Resolution Repealing Res. No. 876, effective September 1, 1982, amended by Res. No. 456, effective June 24, 1983, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants for

Professional Engineering Services in connection with the Reconstruction of Arlington Avenue, at a cost not to exceed \$9,500.00, chargeable to and payable from Code Account PW 83-05," is hereby repealed in its entirety. The design of this project was originally to be done in-house, with Mackin Engineering Company providing field data support. The design will now be done by a Consultant.

Which was read and referred to the Committee on Public Works.

Also,

No. 581 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Design and Construction Inspection Services in connection with Reconstruction of Arlington Avenue from East Carson Street to East Warrington Avenue at a cost not to exceed \$1,300,000.00, chargeable to and payable from EC 83-05.

Also,

No. 582 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting permission for Paul McDermott to attend the Automated Mapping/Facilities Management Eastern Regional Conference in Williamsburg, Virginia from May 4-8, 1986 at a cost not to exceed \$1,250.00, payable from Code Account 1482. Use of a City vehicle is also requested.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Grabowski for Mr. Givens presented

No. 583 Communication from Louise Gaetano, Director, Department of

Public Works, requesting permission for Donna Spicer to attend Sony Corporation's "Type V U-Matic" Video Recorders Technical Training Course in Ft. Lauderdale, Florida from May 19-23, 1986 at a cost not to exceed \$1,390.00, payable from Community Communications Trust Fund.

Also,

No. 584 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for David Beasley to attend Sony Corporation's "Type V U-Matic" Video Recorders Technical Training Course in Park Ridge, New Jersey from June 9-13, 1986 at a cost not to exceed \$1,195.00, payable from the Community Communications Trust Fund.

Also,

No. 585 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Ellen Clair to attend a Managing Multiple Priorities Seminar at the William Penn Hotel on May 16, 1986 at a cost not to exceed \$110.00, payable from the Community Communications Trust Fund.

Also,

No. 586 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for David Beasley and Donna Spicer to attend the Convergence Corporation's Technical Training School at RPC Electronics in Blawnox, PA from March 25-27, 1986 at a cost not to exceed \$1,400.00, payable from the Community Communications Trust Fund. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Works.

Mr. O'Malley presented

No. 587 Resolution providing for the issuance of a warrant in the amount of \$4,903.00 in favor of IBM Corporation for specially ordered items not included on the price lists of present City contracts, payable from Code Account 1045, Equipment, Bureau of Information Systems, Department of the Mayor.

Also,

No. 588 Resolution providing for the issuance of a warrant to Gondelman Baxter McVerry Smith Yatch & Trimm for legal services rendered to Robert Rade Stone in connection with Tom Flaherty, et al v. John Torquato, Jr., et al, in conjunction with Civil Action No. 85-1525, filed in the United States District Court for the Western District of Pennsylvania in the amount of \$9,750.00, chargeable to and payable from Code Account No. 1075, Miscellaneous Services, Department of Law.

Also,

No. 589 Resolution providing for a Professional Services Agreement or Agreements for the provision of computer training services at a cost not to exceed \$15,000.00 for the Bureau of Information Systems, City Information Systems, Department of Mayor, payable from Code Account No. 1043, Miscellaneous Services.

Also,

No. 590 Resolution providing for a Professional Services Agreement or Agreements for the provision of a needs assessment in connection with an automated activities tracking system for the Department of Law at a cost not to exceed \$8,000.00 for the Bureau of Information Systems, City Information

Systems, Department of Mayor, payable from Code Account No. 1043, Miscellaneous Services.

Also,

No. 591 Resolution amending Res. No. 150 approved February 26, 1986 and effective March 3, 1986 entitled: "Providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act, . . . and providing for the deposit of funds into a bank account," by increasing the aggregate amount from \$1,456,000.00 to \$2,200,000.00, chargeable to and payable from the JTPA-2 Trust Fund, federal funds.

Also,

No. 592 Resolution authorizing the transfer of \$2,275.00 from the JTPA-2 Trust Fund, federal funds to the General Fund of the City of Pittsburgh to partially reimburse the City for its payment for damages to vans used during the 1984 JTPA Summer Youth Program.

Also,

No. 593 Communication from Richard S. Caliguiri, Mayor, requesting permission for David Donahoe to attend legislative meetings in Harrisburg, PA on April 22, 1986 at a cost not to exceed \$350.00, payable from Code Account 1017.

Also,

No. 594 Communication from Richard S. Caliguiri, Mayor, requesting permission for James E. Simms to attend a Hands Across America meeting in Washington, D.C. on April 15, 1986 at a cost not to exceed \$350.00, payable from Code Account No. 1017.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 595 Resolution providing for an Agreement or Agreements for Professional Auditing Services in connection with the 1984 through 1986 Community Development Block Grant Program and the Community Development Block Grant Program's Third Party Contracts at a cost not to exceed \$50,000.00, chargeable to and payable from the 1985 Community Development Block Grant Program, Department of City Planning, Administrative Account (CDPA), (CP-85-01).

Also,

No. 596 Resolution authorizing the Mayor and the Director of the Department of City Planning to enter into an Inter-governmental Co-Operation Agreement or Agreements with the Steel Valley Authority for various administrative items at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account 1103, Miscellaneous Services.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 597 Resolution transferring \$15,000.00 from Code Account 1475, Salaries and Wages, Regular and Temporary Employees, Department of Public Safety, Bureau of Building Inspection to Code Account 1475-1, Premium Pay, Department of Public Safety, Bureau of Building Inspection. One of the reasons that the Premium Pay account ran out of funds was because of the collapse on Bryn Mawr Road which

caused many hours of overtime for the Bureau of Building Inspection.

Which was read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Also,

No. 598 An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article VII - Parking, Chapter 541 - General Parking Regulations, Section 541.01 - Prohibition in specified places by clarifying the prohibited parking space at a transit stop. Section 541.01 (a) (12) is hereby amended to read as follows: "Within fifteen (15) feet of a transit stop sign."

Also,

No. 599 Communication from John Norton, Director, Department of Public Safety, requesting permission for Richard DeNinno to attend the National Fire Protection Association Workshop in New Orleans, Louisiana on September 29-30, 1986 at a cost not to exceed \$1,100.00, payable from the Department of Public Safety, Bureau of Fire, Code Account (DPSTPP).

Which were read and referred to the Committee on Public Safety.

Also,

No. 600 Communication from John Norton, Director, Department of Public

Safety, requesting permission for John Moran and John Harpur to attend the National Fire Academy at Emmittsburg, Maryland from April 21 through May 2, 1986 for the Fire Executive Development III Conference at a cost not to exceed \$275.00, payable from the Department of Public Safety, Bureau of Fire, Code Account (DPSTPP).

Which was read and referred to the Committee on Finance.

The Chair presented

No. 601 An Ordinance amending and supplementing Title One-Administrative, Article XI, Chapter 180, Personnel Administration of the Pittsburgh Code, by supplementing Section 180.05 subsection (c) by adding a new subsection (c) (1) requiring drug testing for all new City employees. ~~---~~
(SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on Finance.

Also,

No. 602 Resolution providing for an Agreement or Agreements with a consultant for professional services in connection with the establishment of an Office of Professional Responsibility within the Department of Public Safety, including but not limited to the development and implementation of policies and procedures in the areas of pre-employment screening and evaluation, investigation and resolution of complaints against employees of the Department originating from all internal and external sources, and effective police command transition and coordination, at a cost not to exceed \$26,000.00, chargeable to and payable from the Department of Public Safety Third Party Payor Trust Fund (DPSTPPTF).

Which was read and referred to the Committee on Public Safety.

Also,

No. 603 Communication from Richard S. Caliguiri, Mayor, informing Council of the appointment of David L. Donahoe as a member of the Equipment Leasing Authority pursuant to Resolution 652 of 1980.

Which was read, received and filed.

Michelle Madoff:

I have a problem with that one. Mr. Donahoe is one of my favorite people in the world so I have no objection to his being on the Leasing Authority. As you know, I was appointed to the Leasing Authority; in eight years it's the first time I've been appointed to any commission or authority. I'm probably the only Councilmember in the history of Pittsburgh that was never appointed to anything until this appointment and my appointment runs out at the end of this year, so it's a real long appointment.

But I understand that we must be sworn in. I have not been sworn in. I've been sworn at but I wonder what is happening with this appointment. How can he be appointed, for what term? Do we vote on it?

The Chair:

No. This is just received and filed. The Mayor has proposed to do all appointments. He's just notifying us.

Michelle Madoff:

This is not one that we vote on.

The Chair:

Right.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 604

Report of the Committee on Finance for April 2, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 496

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Tony Baiano Construction (Anthony Baiano, President) in the amount of \$3,685.00 in payment of Extra Work being in addition to the original contract price of \$108,520.00 on Controller's Contract No. 27854-F, furnished for the benefit of the City in connection with the Reconstruction of Norte Way Wall; and providing for the payment thereof."

Which was read.

Michelle Madoff:

I'm going to abstain on 496 because I do not know, as I've stated previously, if there is any reason why the Chairman might, as he has for 8 or 12 years, abstain from voting, whether this is one that would come under that category.

I would like to request from Mike Perry, please, so I don't do anything behind anybody's back, a list of the corporations and principles in the 12 years that Mr. DePasquale abstained from —

The Chair:

Ms. Madoff, you are out of order.
We are talking about this bill.

Michelle Madoff:

I'm discussing the bill.

The Chair:

You are out of order.

Michelle Madoff:

I'm not out of order, Mr. Chairman,
but I will yield.

The Chair:

Is there any further discussion on
the bill?

And on the question, "Shall the bill
pass finally?"

The ayes and noes were taken
agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mr. O'Malley	Mr. Woods
	(Pres't)

AYES 6 NOES none

(MICHELLE MADOFF ABSTAINING)

And there being two-thirds of the
votes of Council in the affirmative, the
bill passed finally.

Also,

Bill No. 507

A Resolution entitled, "Resolution
providing for the issuance of a warrant in

favor of Metro Equipment Repair
Company in the amount of \$994.50 in
payment for repairs to two generators
and two pumps furnished for the benefit
of the City of Pittsburgh, and providing
for the payment thereof."

Which was read.

Also,

Bill No. 508

A Resolution entitled, "Resolution
providing for the issuance of a warrant in
favor of Perkin-Elmer Corporation,
CitiBank Del, Box 7247-9000,
Philadelphia, PA 19170-9000 in the
amount of \$558.00 for repair to Atomic
Absorption Spectrophotometer utilized in
the Water Treatment Plant Laboratory
and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills
pass finally?"

The ayes and noes were taken
agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And there being two-thirds of the
votes of Council in the affirmative, the
bills passed finally.

Mr. DePasquale for Mr. Givens presented

Bill No. 605

Report of the Committee on Public Works for April 2, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 501

A Resolution entitled, "Resolution granting unto the University of Pittsburgh, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Pedestrian Bridge over on a portion of the Terrace Street and Sutherland Drive in the 4th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 502

A Resolution entitled, "Resolution accepting the dedication of property on the Southern side of Liberty Avenue, along Liberty Avenue near Grant Street, for widening and public purposes, in the 2nd Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 503

A Resolution entitled, "Resolution accepting the dedication of property along Liberty Avenue near Grant Street for street widening and other public purposes, in the 2nd Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 504

A Resolution entitled, "Resolution vacating Elwell Way from Keefe Street to point on centerline 135.92 feet easterly in the 31st Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 505

A Resolution entitled, "Resolution vacating Congress Street from Fifth Avenue to its northwesterly terminus (170+) in the 3rd Ward, City of Pittsburgh, excepting and reserving easements for the existing water and sewer lines."

Which was read.

Also,

Bill No. 529

A Resolution entitled, "Resolution granting unto the University of Pittsburgh, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Steam Line under a portion of the right-of-way of Bellefield Avenue in the 4th Ward of the City of Pittsburgh."

Which was read.

Mr. DePasquale:

I have no objection to Bill 529 but it seems to me that the last few weeks they've been putting that steam line in and today they're asking permission to do it. Did we give a prior permission on it?

The Chair:

I think there was prior approval granted on that.

Mr. DePasquale:

Okay.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 606

Report of the Committee on Planning, Housing and Development for April 2, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 57

A Resolution entitled, "Resolution providing for the designation of the Howe-Childs-Gateway House as an Historic Structure under the provisions of Section 513 of Chapter 1007 of the Pittsburgh Code of Ordinances." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 515

A Resolution entitled, "Resolution amending Resolution No. 1283, entitled: 'Adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986-1991 Capital Improvement Program', by changing two code accounts, one project title, and adjusting a clerical error for the cost of a prior year funded project."

Which was read.

Also,

Bill No. 516

A Resolution entitled, "Resolution amending Resolution No. 1439 of 1981, as amended by Resolution Nos. 408 and 1144 of 1982, by Resolution No. 933 of 1983, and by Resolution No. 102 of 1986, entitled: 'Approving the submission and budget for the 1982 Community Development Block Grant Budget', by deleting a line item and adding the 'Site Improvements for Housing Development in Homewood' line item in the URA."

Which was read.

Also,

Bill No. 517

A Resolution entitled, "Resolution amending Section 11 of Res. No. 1267 of 1977, as previously amended by Resolution Nos. 483, 829, 999 and 1563 of 1978; by Resolution Nos. 252, 308, 590 and 706 of 1979; by Resolution Nos. 352, 448 and 1191 of 1980; by Resolution Nos. 560, 888 and 1363 of 1981; by Resolution Nos. 418 and 911 of 1982; and by Resolution No. 98 of 1986 entitled: 'Providing for the filing of an application by the City with the U.S. Department of Housing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program', by decreasing a line item and adding the 'Site Improvements for Housing Development in Homewood' line item in URA."

Which was read.

Also,

Bill No. 518

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the St. Clair Citizen's Council for professional services at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account No. 1103, Miscellaneous Services, Department of City Planning." —
(SPONSORED BY MR. WOODS)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 607

Report of the Committee on General Services for April 2, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 506

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the furnishing and delivery of: refuse containers for the Department of Environmental Services, Code Account 1175, Index No. 117507, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 608

Report of the Committee on Parks and Recreation for April 2, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 512

A Resolution entitled, "Resolution amending Resolution No. 53, effective February 12, 1986, entitled: 'Providing for an Agreement or Agreements with the Civic Light Opera for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, and providing for the payment of the cost which is not to exceed \$20,000.00 and is chargeable to and payable from Code Account 1838 (183806) Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation,' by increasing the authorized amount from \$20,000.00 to \$25,000.00."

(SPONSORED BY MRS. MASLOFF)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 609

Report of the Committee on Engineering and Construction for April 2, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 497

A Resolution entitled, "Resolution amending Resolution No. 771, effective August 23, 1985, entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants for the Removal and Disposal of Hazardous and Industrial Wastes encountered during the excavation of Pier 4 of the Bloomfield Bridge Project; and providing for the payment of the costs thereof,' and

increasing the total project allocations by \$12,000.00."

Which was read.

Also,

Bill No. 498

A Resolution entitled, "Resolution further amending Resolution No. 319, effective April 10, 1985, as amended by Resolution No. 1081, effective December 4, 1985, as amended by Resolution No. 122, effective February 24, 1986, entitled: 'Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants, to perform professional services on various City Facilities on an "as-needed" basis, in response to the Capital Budget Program; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$136,301.50."

Which was read.

Also,

Bill No. 499

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for Construction in connection with the Renovation of Various Park Facilities; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 500

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation at the Pittsburgh Zoo, including the North American Paddocks; and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

Mr. President, on Bill 500, as you know, for years I voted no on anything for the Zoo because we had talked about having a fee for service charge for non-City residents. Last year it was promised that by this year we would have a fee for service structure in place for the City taxpayers who were picking up the deficits by virtue of debt service for the Zoo, the Aviary and the Conservatory. The debt service, so people have some idea, is something like \$4000 for three years, that we shouldn't be paying.

I have not seen the amendment, the change made. If there's a will to do it, we can do it. There is a fee when you go to the Wave Pools in the suburbs. There

is a system of people coming from the suburbs to use our tennis courts; they have fake identification cards. It would be relatively simple to have non-City residents pay a slightly higher fee than City residents.

On the basis of that, as a protest, I must vote no on Bill 500, and may I please have a letter to Louise Brown go out asking what the status is on the bill.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mr. O'Malley	Mr. Woods
	(Pres't)

AYES 6 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 526

A Resolution entitled, "Resolution further amending Resolution No. 750, effective September 6, 1983, as amended by Resolution No. 1006, effective November 30, 1983, as amended by Resolution No. 478, effective May 21, 1985, as amended by Resolution No. 903, effective October 3 1985, entitled:

'Providing for a Contract or Contracts for the Construction of Walls at various locations, including but not limited to the following: Wick Street, Holt Street, Monroe Street, St. Martin Street, Goettman Street and Blessing Street; providing or an Agreement or Agreements, or Supplemental Agreement or Agreements with Pittsburgh International Engineering Inc. for Engineering Services in connection with the Design of the Reconstruction of the Blessing Street Wall; and providing for the payment of the costs thereof,' by amending Section 3 to read the correct aggregate amount of this Resolution."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Wagner presents

No. 613 WHEREAS, the City of Pittsburgh now has fueling stations for all city vehicles, including public safety

emergency vehicles located at 29th Street in the Strip District. This one fueling station is not geographically in a desirable location for emergency vehicles; and

WHEREAS, excessive time is lost with emergency vehicles having to travel excessive distance to refuel. In addition, other factors such as wear and tear on the vehicles, the use of gasoline to get from various points throughout the city to the present fueling location and the fact that many of our personnel aren't within their respective districts during the time that it takes to refuel these vehicles; and

WHEREAS, in addition, the public safety vehicles are out of their respective districts, therefore creating a void in the availability of service within that particular district; and

WHEREAS, it is estimated that the average time that each vehicle is out of service within that district is approximately 30 minutes.

NOW THEREFORE, BE IT RESOLVED, that the Members of Pittsburgh City Council do hereby recommend that a minimum of five (5) fueling stations be established throughout the City of Pittsburgh in a desirable, geographical location so that emergency vehicles will remain available to serve the public.

Mr. Wagner moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Mr. Wagner:

Mr. President, I'd like to take a moment to point something out.

We have here a map of the City of

Pittsburgh and, as everyone can see, we have one fueling location throughout the City. It's at 29th Street in the Strip District. This fueling location is utilized by all City vehicles, not only emergency vehicles, Police, Fire, EMS, but Refuse, Public Works, Parks, Administration, etc.

All vehicles throughout the City operating are here on a daily basis. There are a couple of exceptions; I believe those exceptions are fire trucks and I believe in some instances, refuse trucks.

This map also indicates the nine Police districts throughout the City. The resolution in front of us pertains to specifically emergency vehicles, meaning all Police cars, vans, motorcycles, EMS vans and cars, and jeeps that they utilize, and squad cars and fire trucks. As you can see, at several locations in the City it's very difficult while these vehicles are in service to get refueled without reducing the emergency service in that particular district. At some extreme ends of the City such as Lincoln Place, the distance is approximately 7.5 miles from point to point. The time that it takes for an emergency vehicle to go from here to here and back can be as long as an hour depending on traffic. There are not emergency vehicles replacing these vehicles when they're out of commission.

In addition to the average distance, the average distance is approximately three miles from any point. Other areas are also quite far, Homewood-Brushton, Brighton Heights, Overbrook, Esplan. Depending on the time of day and the traffic, it can even be very difficult to get from West End to 29th Street and back and be back in service in their respective district. Now, it's not to say that the emergency vehicles are out of service. They are not out of service but they are, to a great degree, out of

service in their respective district if they are assigned to No. 8 and they're in the Strip District, if they're assigned to No. 5 and they're in the Strip District. This can cause a problem in response of emergency vehicles through the 911 system.

What this resolution is suggesting is that we provide at least five locations geographically suitable throughout the City of Pittsburgh specifically for emergency vehicles. We have at least at any time during the day 100 emergency vehicles that need fueled. Those emergency vehicles need fueled at least twice a day. The Police cars are running 24 hours a day, many times more than that. The emergency vans also need fueled twice a day; they are constantly in operation.

Therefore, what this resolution is suggesting is that if we provide at least five fueling locations, one on the North Side, one somewhere in the West End, one in the South Hills, one in the East End, and one possibly in the Morningside area, we would have fueling locations in desirable geographical spots throughout the City that would reduce the response time of police cars, fire squad vehicles, and also EMS vehicles. In addition to reducing response time, what it could also do is actually reduce the amount of gasoline that is needed. Obviously to get from Brighton Heights to the Strip District, it takes gasoline to get from this point to this point and back again. So, we may be able to reduce the consumption of gasoline by placing a fueling location somewhere in the Northside.

Other possible benefits are the reduction in wear and tear on the vehicle that has to travel this distance that is involved in traffic. It can I think certainly have an impact in that area and in general, I think there can be a

financial savings.

But the number one reason why I would like to see Council support this resolution is that the response time of the emergency vehicles is so important and we must keep those emergency in their respective districts. We constantly hear about us not having enough people in terms of police officers, fire fighters, and EMS people. Well, we can actually improve the numbers of people in their respective districts, probably by one-twentieth, if we were to put fueling locations in the right spots around the City.

So, I would strongly suggest that we make a suggestion to the Administration that they support this idea and that we move forward with these fueling locations.

Thank you.

The Chair:

Jack, I have one question and I know a couple of my colleagues do. You're not suggesting building fueling stations because there are existing gas stations and stuff like that where we could have a credit system, where we could have our vehicles refueled in a particular neighborhood, such as we do with the car wash system with some of our vehicles. That's what you're suggesting?

Mr. Wagner:

Mr. Woods, you're right on target. What I'm suggesting is that we go out to contract at 24 hour stations that are open and find four or five throughout the City where we can purchase gas at a competitive price and utilize those particular stations for emergency vehicles only.

The Chair:

That's good because then we won't have any employees to hire or anything.

Mr. Wagner:

That's right.

Mr. DePasquale:

Obviously I support the resolution but I just want to state as you did, I know in the past, Jack, that City vehicles were allowed to go to private gas stations when they ran low on fuel. Don't emergency vehicles have that same prerogative today? I realize it costs more than fueling at the City station. But if they're, say, down to a gallon or two of gas and they're going somewhere in a hurry, they're certainly allowed to go into a private station. They used to have Gulf credit cards.

Mr. Wagner:

I think there is some stipulation. What it is specifically, I don't know, but I think they can be reimbursed if they do become low, if they're out on an emergency call, and they find out that the amount of fuel in the vehicle is low and they obviously need the vehicle to respond to the next call.

However, you bring up an excellent point, when you're low on gas it can be any time during the day. It can be a time when a police vehicle is in it's greatest demand, it can be a time when traffic is at it's highest point, and you must then venture to the Strip District. You're leaving your district and you're leaving it for a considerable period of time because, obviously, you have to have fuel to be functional.

Michelle Madoff:

I think this is an excellent proposal, Mr. Wagner, particularly in light of the fact that it's just come to my attention from a number of Police Officers that in the evening some of our stations, some of our busiest and largest stations, have only got four vehicles in operation, some two, sometimes only one, because they are not out on the streets, sometimes the vehicle itself is in for service.

I would wonder whether you would consider expanding your legislation to include two items. We would be buying in bulk, obviously, from these 24 hour stations. We should get a special rate, a competitive bid. They'd be happy to get the business and be very happy to even go below the price, and today's energy costs are considerably lower than they have been. But also, I think we should offer some mechanical support during emergency times because the garages don't do it. We do not have sufficient mechanics in our City garage.

So, I would like to see you expand the bill to include that aspect that if a Police car breaks down at night, if a Paramedic vehicle is out of operation because it's happened to me personally, that you could also go in and get, maybe a flat tire or a blowout patched or something, something perhaps not of a tremendous magnitude where you would need to replace the whole chassis, but to do routine emergency maintenance as well as the fuel.

I think your idea is very, very well taken. It would be cost effective, it would give us better use of vehicles, and I would urge you to follow through as you have been on expediting the study coming to Mr. Norton on what kind of police force we're going to need because when we read in the papers that compared to the rest of the nation we're

doing so much better, it's like better than what? Lower prices than ever. Lower than what? Maybe we have 10 less rapes but there's still people getting raped and there's still people getting run over and so on. Would you consider that?

Mr. Wagner:

Yes, I would consider it. As a matter of fact, it is my understanding that for two or three cents more a gallon you can actually receive the basic services of a gasoline station, such as tire repair, windshield being cleaned, radiator service, battery checked, etc.

The problem is in the City, many of the fueling stations open 24 hours a day are not prepared to offer that service. Some are and some are not. So, yes, if it could be obtained through a contract, I certainly think that's an excellent idea and also I should add to my colleagues, I've discussed this with the various management people and union people and the Public Safety Department, and they support it.

WHICH MOTION PREVAILED.

The Chair:

Mr. Wagner, do you have another item.

Mr. Wagner:

Yes. Mr. President, I know I discussed this with you and a couple colleagues earlier and I would like to make a floor motion. I suspect it's in the form of a letter, that would be the appropriate way.

The Council of the City of Pittsburgh requests that a formal investigation be initiated by the Allegheny County Department of Elections of all campaign spending

reports for City Councilmembers for calendar year 1985.

I would also like to further suggest that we include a time frame for receiving that report from the Election Department.

The Chair:

I want the letter to go out immediately, Mr. Perry.

I need a second.

Michelle Madoff:

I'll second it if you tell me what it's going to say.

The Chair:

In essence that since there was this article in the paper on Sunday, there's a lot of cloud hanging there, we'd like the Election Bureau to come in and look at all of our campaign expenditures the proper way so that there's no misconception that anybody here did anything wrong.

Michelle Madoff:

May I make a recommendation, Mr. President, that you also include what the parameters are of the existing legislation. My understanding is that anything that you do to enhance or help you get elected does not mean you cannot spend money in an off election year.

As Judge Ellenbogen used to say, "You campaign all the time, you don't campaign at election time." And as Cyril Wecht said, "I go out and speak all the time, not at election time." You are running all the time, not just in the year that you're running.

So, I would like to have it very clearly defined what we spend out money for. For example, if I have a meeting with an aide who comes in at 8:30 in the morning, at 10:00 at night responding to a letter to the editor in the Wall Street Journal about election by district, I will put down on my slip who I met with, what the amount was for, and she's certainly entitled to have dinner and I submit a slip. And I think we need that clarified.

The Chair:

What we are asking, Mike, and we'll help you draft it, we want in this letter that they'll look at all of us, look at everything we spent, to see if we were legal by doing it, where it was grey areas, whatever. That way the cloud is lifted.

Michelle Madoff:

Excuse me, Mr. President. Your point is well taken but what I'm saying is, I don't want this to happen again. But what I'm saying is, let us have it clearly defined for our constituents, for the media, and for everybody. What are the rules? I checked on the rules and I thought I was in complete compliance with the rules. If I'm not, I want to know where I was wrong.

The Chair:

That's what we're going to do.

Mr. O'Malley:

I agree with that; I think it's a good idea. I think it was quite a detailed article that was in the Pittsburgh Press Sunday and I think all of us need some explanation from the Election Bureau. I mean I've been turning my receipts in the same way for six years and this is the first time anybody said anything. I had

an audit done of my campaign expenses this morning by a CPA firm and he indicated that he was satisfied that they came in compliance with the law.

But I think we ought to extend this to all elected officials, City elected officials. I'd also like to include the Controller in on this. He's the fiscal watchdog of the City of Pittsburgh and I think his expenses and expenditures should be as accountable as City Councilmembers.

The Chair:

I would suggest that since it was Council that appeared in the paper that we ask that Council be reviewed and I'm sure that since the article the Election Bureau will be looking at everybody else also. I think that we should just deal with ourselves.

Mr. Pollock:

I'd like a similar letter to go to the District Attorney's Office as well.

The Chair:

Fine.

Mr. Wagner:

I agree, Mr. President. I think our motion should pertain to us and to us only and if other elected officials want to solicit the same information they should do so.

I would just like to add, if it's in agreement to Council, that we request a time frame, two weeks, three weeks, because if we don't, this report could come back six months from now and I think it's something that we should move on immediately and we should request that the Elections Department do the same.

The Chair:

Let's say if we get the letter in the mail tomorrow, I'd say within 30 days. There's a lot of us to audit here.

Mr. O'Malley:

Are you saying 30 days to start it or 30 days to finish?

The Chair:

No, no, they should start immediately and have result to us within 30 days.

Michelle Madoff:

I disagree with my colleagues. I think it's inappropriate for us to single ourselves out. If the media wishes to single us out that's their prerogative. They're the guardians of the people's right to know. But the people's right to know goes beyond City Councilmembers. I think that we should request that all elected officials be audited because we are representatives of the public at large and it should not just be City Council.

The Chair:

I believe in fairness the individual that wrote that article will probably take the message and go back and do the job that he supposedly can do on the other elected officials. I think we should just deal with us.

Michelle Madoff:

I wish to amend the motion.

Mr. O'Malley:

Second for discussion. Discussion being that according to the election laws, if an audit is going to be conducted

it has to be filed and requested within 90 days which would bring it to April 30th. So, if Council can be audited, that's fine; but if it also says the Mayor or the Controller is going to be audited, that has to be requested before April 30th.

The Chair:

I'm sure that the Election Bureau will do that on their own. I mean, they've taken a little bit of heat on this thing also and I think that we should just deal on an issue like this with ourselves. We are interested in ourselves as an elected body and my own personal opinion, I will vote against the amendment.

Michelle Madoff:

With all due respect, I would ask that you keep an open mind. You are an elected official, you are the President of this Council, you have stature in this community and the public is looking to you for leadership and it would seem to me that we should not be saying we're all being painted with the same brush and that Council is being singled out. I think we should address the broader issue, not the personalities. We should say that all elected officials should be audited because I don't think that anybody has behaved any differently and I think that you should be a leader in this instance and I ask you to do that and to change your vote on it, don't be stubborn, and I would ask my colleagues to expand it to all elected officials because otherwise we look like all we're trying to do is protect our own flanks. That's my opinion.

The Chair:

And my opinion is that if we ask that all elected officials in the City of Pittsburgh then we're saying you did it to us and not to them, you're being unfair.

The article was written here; let's settle it here.

Mr. Grabowski:

Just to clarify the amendment that Michelle made, she has indicated that she would like all elected officials to be audited.

The Chair:

In the City of Pittsburgh.

Mr. Grabowski:

That's not what she said.

Michelle Madoff:

Thank you sir, I appreciate it. I mean in the City of Pittsburgh. Thank you.

Mr. DePasquale:

Whenever I filed with the Bureau of Elections, I went over before I filed and talked to the Director, whoever it was, whether it was Will Alton or Kenny Dixon or Scanlon. Anything that I thought in my mind was questionable I would ask them and if they said it was questionable or wasn't right then I would take it out or take care of the matter. Never have I been told by anybody at the Bureau of Elections that any of my expenses, as long as they were incurred in regards to my getting elected, were improper or illegal.

The public record is over there and anyone, Schmidt or anyone else who wants to go look at them can look at them. I think that should be the end of it. If they want to conduct an audit or whatever at the Bureau of Elections, that's their business. But to ask them to do it, to me, is sort of asinine.

The Chair:

I respect your opinion, Mr. DePasquale.

Now, on the amendment to include all elected City officials. Roll call vote.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. O'Malley
Michelle Madoff	

AYES 3 NOES 4

VOTING NO:

Mr. DePasquale	Mr. Wagner
Mr. Pollock	Mr. Woods
	(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Michelle Madoff:

Discussion on the issue. May I follow up. I don't know the rules; how do I go about getting legally, how do I go about making a request? Personally, I think they need five citizens, I'm a citizen, four people, to request an audit.

The Chair:

We are going to do that right now.

Michelle Madoff:

No, I'm talking about my defeated

motion. I wish to pursue it privately and I don't know what the ground rules are. Does anybody know?

Mr. Pollock:

Michelle raised a question of not knowing what the parameters were of the election expense law and it's not for the body of City Council to give her this. These laws are set forth in the —

Michelle Madoff:

That's not what I just asked.

Mr. Pollock:

This is what you talked about before. I'm talking about her previous question about not knowing what the parameters were for filing expense reports.

These are set forth in state statutes. If she has any questions, she could have consulted an attorney to have these statutes interpreted for her and I think that it's inappropriate for someone to file something and then afterwards not know what he or she was doing or state that she didn't know what he or she was doing.

The law is set forth; we are all given copies of it. Admittedly, it is in the form of a state statute but these can be easily interpreted by either a Legislator or other elected official or an attorney. I think that the time has come that this body start to look at exactly what its members are doing, what it feels is inappropriate activity for its own members. I think the time has come for our President to start examining some of his appointments to chairmanship of committees and reassess those appointments. And I think that it's time that this body realize that the actions and activities of any members of this

body reflect on all of us. —

The Chair:

Mark, let me interrupt you here. We are not talking about behavior of any Councilmember. We are talking about a letter that we are sending to the Election Bureau to go over all of our campaign expenditures and receipts for 1985. I'm going to hold to that and rule you out of order.

Is there anything further on that subject?

Mr. O'Malley:

I think Michelle asked a legitimate question and I think Mr. Pollock is being unnecessarily harsh.

The Chair:

I just stopped that so we're not going to continue.

Mr. O'Malley:

Well, to answer Michelle's question, you have 90 days from the time you file, January, February, and March. You have until April 30 to file by five electors in the City of Pittsburgh to file to have any elected official's campaign audited, Michelle.

The Chair:

On this subject only, this letter.

Michelle Madoff:

Mr. President, I deeply resent a friend of mine implying that I did not know about the statute nor read it. I did know about the statute and my personal interpretation with my counsel was that any monies spent in the pursuit of being re-elected was legitimate and I stated

that's how I handled it and I itemized it. It is not that I am filing after the fact, not knowing what I am doing and I resent that being on the record.

The Chair:

Everybody is getting off the subject. We're on sending the letter. Mr. Grabowski is the last speaker and we're calling the vote.

Mr. Grabowski:

Mr. President, earlier we took a vote on the amendment to include all elected officials and I'd like to make a motion that we reconsider that vote.

The Chair:

I will not honor that motion.

Mr. DePasquale:

I'm going to change my vote.

The Chair:

No, that amendment was defeated and I cannot honor that motion.

Michelle Madoff:

Excuse me, we haven't left the room; they can change their votes.

The Chair:

No. That amendment was defeated. It is out of order.

Mr. Grabowski:

Mr. President, I'd like to challenge the Chair.

Michelle Madoff seconded the motion.

Mr. O'Malley:

All in favor say aye.

The Chair:

Mr. O'Malley, one more time and I'm going to fine you for doing my job.

Mr. O'Malley:

Sorry.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Michelle Madoff
Mr. Grabowski	Mr. O'Malley

AYES 4

NOES 3

VOTING NO:

Mr. Pollock	Mr. Woods
Mr. Wagner	(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Mr. Grabowski:

Mr. President, how can you say the motion failed when there's four in favor and three against?

The Chair:

Right. Any motion at this meeting must have five votes, the legislative

meeting.

Mr. Grabowski:

Final passage, Mr. President.

The Chair:

Roll call vote on sending the letter.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 5 NOES 2

(MR. DEPASQUALE AND MR.
POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Pollock:

On the legislation you introduced this afternoon, I want to make a motion to hold it until a public hearing is set but before doing that I would also like to ask that before setting the public hearing that the legislation be submitted to the Legal Department so that when we have the public hearing the legislation is in its final form.

The Chair:

Mark, how about just making a motion to set a public hearing and prior

to the public hearing that we have the Legal Department look at it? Just like that.

Mr. Pollock:

And if the Legal Department amends it then it will be resubmitted in the amended form and then have a public hearing on the amended form?

The Chair:

No. You're going to ask them to have a legal opinion as it is presently written and that's how we'll have the public hearing. Any amendments can come after that, after the public hearing or whatever.

Mr. Pollock:

But my purpose was trying to save time. If the Legal Department says to amend it and it's resubmitted in amended form, then you might want to have another public hearing on the amended form.

So, I would ask that rather than have two separate public hearings, that let it be presented to us in the final form after the Legal Department amends it and then have the public hearing on the amended form. It makes more sense.

The Chair:

Alright, here's what you do. Make a motion to have a public hearing; I will see that it's sent down prior to that. And before we advertise for the public hearing, that whole amended form will be in the paper.

Mr. Pollock:

Okay.

Also, Mr. President, I'd like to

change my vote on the last vote to yes, on the letter.

The Chair:

You can't. I didn't let Mr. —

Mr. Pollock:

I can change my vote.

The Chair:

No. I wouldn't let Mr. DePasquale do it on the amendment. We're off that subject. This is a Monday meeting.

Mr. Pollock:

Alright.

The Chair:

Is there a second to hold this for a public hearing? The bill for testing for drugs.

Mr. Wagner:

I'll second it.

Michelle Madoff:

Discussion. I tried to have discussion on it. I had my hand up for a couple of seconds.

The Chair:

We can't discuss the bill. He's making the motion to having a public hearing, that's all. There's no discussion on it.

Michelle Madoff:

Excuse me. With all due respect, Mr. Pollock made some suggestions and I'd like to add to the suggestion.

The Chair:

And Mr. Pollock was out of order and I said that to him. I said we can discuss that later.

Michelle Madoff:

But you let him make the recommendation. I would like to make a recommendation.

The Chair:

I did and I let you do some other things.

All in favor of setting a public hearing?

Michelle Madoff:

Discussion.

The Chair:

There's no discussion on setting a public hearing.

Is there any other business before this Council?

Michelle Madoff:

Yes. I would like to make a floor motion that we create a line item in the budget for voluntary contributions for victims of the subsidence of the houses where people are going to be wiped out with their entire life savings. They have to pay off their mortgages, they don't have houses. We give to, and I have personally given \$200 because I saw the pathos of children dying of starvation in foreign countries. We see the outpouring of generosity in our community where people have come out with food. You yourself have done some outstanding work, Mr. Woods, on giving out food to the needy.

I think there is enough concern and warm-heartedness in our community that people would be willing to equitably give to those people —

The Chair:

I can't even honor your motion to begin with, Ms. Madoff. The only reason I can't, it's not really a floor motion. You're talking about a budgetary item. You're saying, setting up a line item in the budget. Please put it in written form and we can do it next Monday.

Michelle Madoff:

May I respond? When I introduced a floor motion to have voluntary contributions from suburbanites that came to \$3000 until the Administration called it the Laughing Tax instead of the Commuter Tax and we were getting money from people who said, "My kid spends \$10 a week on Pac Man", my services from the City are worth more than \$10. People are giving voluntary contributions to the general fund which are tax write-offs. That does not require anything but a floor motion.

We already have precedent. My precedent establishes the fact that I may legally request, and we can get the Parliamentarian to rule, just a creation of a line item. As a matter of fact, we had an 8 to 1 vote at that time for people who wish to make voluntary contributions to that fund which is tax deductible. That has been established and you are going against precedent if you rule me out of order and make me put it in writing. It is a floor motion and a floor motion does not have to be in writing.

The Chair:

Ms. Madoff, I am going to rule you out of order.

Michelle Madoff:

You always rule me out of order.

The Chair:

Let me finish. I listened very politely to you. We discussed this, I believe in our first meeting in January, that all motions of this type would be in written form 48 hours prior to coming to this meeting. We are going to abide by that. I'm not ruling you out of order; I'm just saying that I do not accept that motion.

Michelle Madoff:

May I have a ruling from the Parliamentarian?

The Chair:

No. We set these rules in Council. The Parliamentarian — I'm not going to accept that.

Michelle Madoff:

You allowed a floor motion the other day.

The Chair:

Mr. Pollock, you have the floor.

Mr. Pollock:

With all due respect to my colleague, I don't think that the City Administration, the City Controller and the Treasurer's Office, need to be getting involved in something like this. These kinds of things are set up all the time with banks as charitable trust funds. You go to the bank and set up a trust fund for mine subsidence victims. The media covers it, the television stations advertise it, and the money gets sent right to the trust fund. I don't think

we have to have a budgetary line item that's a permanent budgetary line item.

The Chair:

All I am asking is that if, Ms. Madoff, if you want to do something like that, please put it in writing and we can honor that next Monday, vote it up or down at that time.

Michelle Madoff:

May I have one moment, please? Mr. Woods, recently, and I just can't recall what the item was before this Council, you wanted something to go through and therefore you allowed it to be a floor motion. When you don't want something, you do not allow it to be a floor motion. I think that is terribly unfair and I think you ought to consider how you are being perceived by the public. I think you are singling me out, I think you're wrong, I think you are doing a disservice.

In response to my colleague, the reason I don't want to go to the bank and set up the Michelle Madoff recommendation trust fund to help subsidence, it is wrong. We are elected officials, we are concerned about all the people in the City. It should be a Council issue and it doesn't need a resolution because I think we all agree that we ought to do that.

The Chair:

Fine.

Mr. Wagner:

Mr. President, in regard to a previous issue in the time frame of 30 days, Mr. O'Malley indicated the 90-day time frame and that 90-day time frame would expire at the end of April.

The Chair:

No, no. That's before anyone can file to look is 90 days. So we're doing it tomorrow; we're perfectly alright.

Mr. Wagner:

But my point was that the request for information prior to the expiration of the 90-day time frame, it would not be consistent with that.

The Chair:

No, we want their report back to us within 30 days. We want them to request it right away. Okay?

Mr. Wagner:

Fine.

Mr. DePasquale moved to excuse Mr. Givens for absence from the meeting.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Wagner moved to approve the Minutes of Monday, February 24, 1986 and Monday, March 3, 1986.

Mr. O'Malley seconded the motion.

Which motion prevailed.

And on the motion of **Mr. DePasquale**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

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Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk
Pittsburgh, PA
Monday, April 14, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

We have a number of read and adopted resolutions today and we have some people here in the audience so, with that in mind, we will take the

resolutions first and, Mr. Givens and Mr. DePasquale, you are first.

Mr. Givens and Mr. DePasquale present

No. 658 WHEREAS, James B. McMahon will retire from a long and industrious career with city, county and country; and

WHEREAS, James McMahon served his country with the United States Army from 1942 until 1946, achieving the rank of Staff Sergeant; and,

WHEREAS, Jay, after working in the Jones and Laughlin Steel Mills for five years, began a career with the Pittsburgh Fire Department, retiring from the department after 25 years and with the rank of Captain; and,

WHEREAS, Jay then went to work with Allegheny County and later was appointed as personal tip-staff to Judge Robert Kelly; and,

WHEREAS, James has been a member of Holy Angels Roman Catholic Church for 20 years and actively involved in local politics in the city and state levels; and,

WHEREAS, Jay is blessed with a loving marriage of 44 years to Lillian Tanney McMahon, with two children, Geraldine Stephans and James McMahon, and four grandchildren, Christie and Michael Stephans and Jennifer and Kelly McMahon;

NOW THEREFORE, BE IT

RESOLVED, that the Council of the City of Pittsburgh joins with his many friends in honoring James B. McMahon's distinguished service to family, community, and government and in wishing him a long and happy retirement.

Mr. Givens moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Givens:

I'd like to say a few kind words to Jay. I first really met Jay as a State Committeeperson for the State of Pennsylvania, one who would have to travel to Harrisburg and on many occasions four, five, six times a year. In knowing Jay from that capacity, knowing him as a Fireman of the City of Pittsburgh and as an old veteran, Jay and I have many fond memories that we have worked with together and it's a tribute to a person of his caliber who has served both his country and the City of Pittsburgh as a fireman for 25 years and all of us know that not too many people within our Fire Department in the City get to enjoy their retirement and full life and full health and, Jay, you have been the one that has been able to do it and I hope that you can go out there and enjoy this with your children and your grandchildren and have just a great, gorgeous time from here on out.

Jay, just a few words, please.

Mr. McMahon:

Thank you very much, members of Council. I appreciate it. There's not much I can say but thank you very much.

The Chair:

Thank you, Jay.

Also,

No. 659 WHEREAS, Mr. Henry Dulemba has announced his retirement from a long unblemished career; and,

WHEREAS, Henry had served his country during World War II in a combat area of the South Pacific with the United States Navy as a Gunner's Mate, 2nd Class; and

WHEREAS, returning home he continued his career in the private sector until 1948 and then entered service with the Pittsburgh Bureau of Fire, culminating 23 years with the rank of Captain; and,

WHEREAS, Mr. Henry Dulemba was then appointed to the position of personal tip staff to Judge Michael J. O'Malley, presently President Judge of Common Pleas Court, where Henry remained for fourteen years; and,

WHEREAS, Henry has been a life long member of Holy Family Roman Catholic Church in Lawrenceville, and has served his neighbors on the local level of democratic politics for 35 years; and,

WHEREAS, Henry has been a loving husband to Clara Gibala Dulemba for thirty years, a devoted father to David, Judith Ann, and Lorraine Mary Lass, and a loving grandfather to Jonathon and Kathy;

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, join with his many friends, in honoring Henry Dulemba's dedicated services to family, career, and government and in wishing him a long

and happy retirement.

Mr. DePasquale moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Givens:

I'd just like to say about Henry, we go back a long time. In fact, both of us were raised up and reared in the Lawrenceville, 9th Ward, politics of the City of Pittsburgh. Henry has had many battles there and I have enjoined him with many of those endeavors.

But Henry also has made a tremendous contribution. He served as the President of the Arsenal Board of Trade for many, many years down there and if anyone knows what happens there on the 4th of July ceremonies, you'll appreciate what Henry Dulemba, through that Board, has kept the Butler Street area and the Penn Avenue area, along the 9th Ward of the City of Pittsburgh and the 6th Ward of the City of Pittsburgh really up in the high status as it is today. It's a good community area and Henry has done a lot to keep it in that particular fashion. He's a fighter all the way and I'd like to give a welcome to Henry Dulemba.

Mr. Dulemba:

Members of Council, friends, just for one minute, if I may. Jay and I, since we've decided to retire at this particular time, you might be surprised but we have a combined total of over 72 years in the service of the City and County government. That's quite a long time; 72 years.

But since Council has seen it appropriate to honor us in this manner,

all we can say is thank you very much, thank you very, very much, thank you.

Mr. DePasquale:

Dick Givens said it all; he didn't leave anything for me to say. But I just want to add that I grew up with Jay McMahon in the Oakland district. We've known each other all our lives. And for Sophie's information, Jay and Henry and I were Schenley High buddies.

Obviously, as Mr. Givens said, it gives us great pleasure, I know all of Council, to honor these two gentlemen as we did today. No one deserves any more. Thank you.

Michelle Madoff and Mr. Grabowski present

No. 660 WHEREAS, a recent case of mine subsidence in the Schenley Heights community ruined properties and revealed the need for some organized system of local assistance for residents who suffer property damage and displacement as a result of this hazard; and,

WHEREAS, during the recent crisis, Mayor Caliguiri personally led the City's effort to help these afflicted people, thereby establishing the City's determination to protect the lives and property of our citizens from the threat of mine subsidence; and,

WHEREAS, the people of Pittsburgh, in the American tradition of charitable generosity to victims of disasters, have always demonstrated their willingness to aid less fortunate people on the local, national, or international levels; and,

WHEREAS, the City of Pittsburgh must take the lead in coalescing these generous public energies and directing

them into an effective resource to financially assist Pittsburgh residents faced with the devastating effects of mine subsidence;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, in the spirit of governmental cooperation and humanitarian concern, recommends that the Administration create the appropriate financial mechanism to receive, deposit, and disperse voluntary public donations for the relief and support of Pittsburgh residents victimized by mine subsidence;

AND, BE IT FURTHER RESOLVED, that the Council recommends that the Administration use the full force of its public relations capability to solicit donations, inform the citizens of the availability of the fund, and urge Pittsburgh residents to purchase mine subsidence insurance for their own protection and welfare.

Mr. Grabowski moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Michelle Madoff:

As you may recall, the reason this was put in a resolution form was that Councilmembers wanted it put in this manner and, as you know, this is a wish list. It is not mandatory. It is a request for the Administration to set up a mechanism. That means they may decide to go to a bank and have people make contributions to a bank. But they're going to have to let the public know which bank, who to send the check to, how to make it out, whatever. And also, of course, to use the public relations department which incidentally

doesn't exist and we should have for the City but the Mayor should perhaps have the impetus to create a Public Relations Division to let people know that they should be buying subsidence insurance and we do remember that my colleague, Mr. Grabowski, came up with this issue long before it actually came about in such a dramatic manner. He might want to make some comments.

Mr. Grabowski:

I tend to agree with Michelle that this is something that may help ease the situation somewhat, as if there are some benevolent citizens out there that would like to contribute to a relief fund of some type that would help those that have experienced this problem. I think the big answer is if we can come up with some sort of protection, moreso than what there is right now. That's what this Council has been striving for for a couple years now. Maybe the Department of Environmental Services will finally act on this serious matter.

Michelle Madoff:

May I just add, right at this point I think the most pressing issue is I think what has happened has brought to everybody's attention that there but by the grace of God goes their home. But we're dealing with people. Everybody says, "It isn't going to happen to me" and it happened. These people have lost their homes, still owe their mortgages. They're basically not your wealthy residential areas.

I think when steel workers don't have jobs we pitch in and we find food. Mr. Woods, you yourself work to supply cheese and distributed food to the poor. We send money overseas, we collect money for people who are affected by blight and hunger and famine. Can't we for one time really pitch in and help our

own City residents?

What I'm doing, Mr. Grabowski and I are recommending that a mechanism be set up to notify the public that there is such a fund, that people can contribute, and they would disburse the money, whatever mechanism the Administration set up, to help those less fortunate. It isn't just enough to help them get their furniture out and say, "Well, we help you get what you can out." Where are they going to put it? They still have to pay their existing mortgage wherever they go, or their rent, plus their old mortgage.

I think we are a community that is generous enough in spirit to want to help the people who have had this problem and I would urge that a personal letter accompany this from our President of Council asking the Administration to proceed to put this into action.

Mr. Grabowski:

One further comment, Mr. President. I think what we have to do is try to focus attention and make the citizens aware for the most part that this is a very serious problem. Perhaps our Cable Bureau could develop some sort of programming whereby they can inform the citizens where these affected areas are. I'm sure that not many people realize that there are coal mines under Squirrel Hill. I mean, we're talking about some homes out there that probably are in excess of \$100,000 and the coal mines are probably 20-25 feet beneath their homes and many of these people don't realize it. But perhaps our Cable Department could come up with some programming whereby we can advertise the communities that are affected and provide some more information and make the public aware and if they should happen to someone, maybe they'll be fortunate enough to have the insurance.

The Chair:

I'll give it to Brother Emenecker because you have all the areas in the City that are undermined and perhaps they could use that.

Mr. Pollock:

In addition to using the cable, I think that a letter should be sent out with the City tax bills or with some other letters that go out to the public with a map saying which areas are affected and who they should contact at the State to acquire mine subsidence insurance. That way we know it actually gets into the individual resident's hands.

Michelle Madoff:

I might also want to point out that when you buy a house, if memory serves me well, it states very clearly that no one owns the mineral rights. When you buy your house you don't own the mineral rights under your house. So people should be aware of that as well.

And I think, Mr. Pollock, the City should do it through Water bills, perhaps, enclose it in an envelope, this notification, through any mechanism, but I know that we would get support from Duquesne Light or the utilities companies, or anybody that sends an enclosed bill, telephone bill, to enclose that as well. They would be very supportive of this kind of mailing.

But you're absolutely correct and I would like to have the City Clerk to add that to the bill if it's alright with my colleague, to amend the bill to include but the idea of Mr. Grabowski to go through Cable, and to send a notice out.

Mr. DePasquale:

I was just wondering if the URA,

under their broad powers, couldn't step in and buy that property.

The Chair:

I think the Administration is looking into that.

Mr. DePasquale:

The possibility of the URA buying it? Okay.

Mr. Wagner:

I'd like to ask Mr. Paul Imhoff, Chief of Bureau of Building Inspection, City of Pittsburgh, Dominic Cimino, and Pat Walker to please step forward for this resolution.

While they're walking up, I'd just like to say that interestingly enough, this resolution to some degree, ties in with the previous resolution because it pertains to Building Safety Week, something that we're trying to recognize with this resolution and also an upcoming seminar that's taking place this week.

Paul, maybe when you make a few comments you could even let the public know what that address is from the Bureau of Mines to obtain the type of insurance necessary for mine subsidence.

Mr. Wagner presents

No. 662 WHEREAS, across the nation this week, local and state governments, construction and design organizations, and the various professional associations of building officials and code administrators are making an effort to create a public awareness of the importance of construction safety codes and their effective enforcement; and,

WHEREAS, in conjunction with the

national effort, the Public Awareness Program of the City's Bureau of Building Inspection is focusing attention on the contributions made to the health, safety, and welfare of our building facility environment by dedicated code officials; and,

WHEREAS, the Superintendent, supervisors, staff, and building inspectors of the City's Bureau of Building Inspection are to be commended for their responsible and effective dedication to strict enforcement of our building codes; and

WHEREAS, the citizens of Pittsburgh are encouraged to participate in the various programs planned for Building Safety Week, particularly the seminar for first-time home buyers on Wednesday, April 16, 1986 from 5:00 - 7:00 P.M. on the Fifth Floor of the Public Safety Building;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the week of April 13th - 19th as National Building Safety Week in the City of Pittsburgh.

Mr. Wagner moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Wagner:

Paul, I'd like to ask you to say a few words to endorse this and possibly the mine subsidence.

Michelle Madoff:

Can I get a character reference from him first?

Mr. Imhoff:

You sure can.

First, I'd like to thank City Council for naming this week as National Building Safety Week. We're an enforcement agency and a lot of people hate to see us come around to their door but really our job is an effort to try to build a safer place for you to live, work and play in the City of Pittsburgh as well as across the nation.

As an officer of BOCA and as the Chairman of Major City Building Officials, two of the sponsoring organizations nationwide for this program, I'd like to thank you on their behalf also.

And as far as Mr. Wagner is saying about the mine insurance, after the incident in Bryn-Mawr, I'd like to assure you after going through these people's homes up there and seeing plaster and everything down all over their belongings, personal belongings, and having to move their belongings into the street so that they could be packed in full view of the public, the first thing I did was go home and have my wife call to get mine insurance. I've lived 25 years at my place and never had it.

The place where you get it is at the Office of Mining in McMurray, PA. They're in the book; they're a federal agency and you have to make a request for an application. Once you fill out the application and mail it back in, someone will come and inspect your home and at the time they inspect it you have to make the payment for the policy. It's based on \$1000.00 evaluation, \$1.00 per \$1000.00 and it's the best investment I think we've made.

Michelle Madoff:

Mr. Imhoff, would you be willing to give that information and follow up to see that Mr. Pollock's recommendation is followed through, that it indeed goes to each home owner and, not only home owners but to buildings such as mine? I think my building is looking into doing it too. I think it's very important; they don't have it in our building.

Mr. Pollock:

Paul, is that a one-time bill like a title insurance or is it an annual premium?

Mr. Imhoff:

It's an annual premium. In my case, it was \$48.50. If you're a senior citizen, they give you a 10 percent discount.

Mr. Pollock:

Every year?

Mr. Imhoff:

Yes.

Mrs. Masloff:

For what valuation?

Mr. Imhoff:

It's based on \$1.00 per \$1,000.00. If your house is worth \$50,000.00, it's \$50.00.

Mr. Wagner:

I'd like to ask Dominic Cimino to say a few words also.

Mr Cimino:

I'd like to thank City Council for honoring this week as National Building Safety Week. Building Inspection is extremely proud to be a part of providing for City residents a safe place to live and work.

Contrary to public opinion, good enforcement of a good building code encourages both development of land and structures.

Again, I'd like to thank everyone.

Ms. Walker:

I just wanted to briefly thank Mr. Imhoff because it is through his efforts that National Building Safety Week has been brought to the City of Pittsburgh. We did a lot of activities last year and, of course, this year we've had more publicity than we've ever had about Building Safety Week. But he is the President of the Building Officials and Code Enforcement Administrators, Inc., and he is also involved in the Association of Major Building Officials. It's a nationwide organization and they are primarily the ones who are behind this and Mr. Imhoff is the one who is the motivator, seeing to it that we have Building Safety Week here in the City of Pittsburgh.

The Chair:

Thank you.

Mr. Wagner:

For everyone's information, that was Pat Walker. She is a building inspector for the City of Pittsburgh. Thank you, Pat.

For our next resolution, Mr. President and members of Council, I'd

like to ask the Safety Coordinator for the City of Pittsburgh, Mr. Jerry Lynch, to please step forward.

While Jerry is walking forward, actually this resolution was initiated by Jerry through me and I think it's another resolution that pertains to general safety in the public and it also relates to a piece of legislation in the house.

Mr. Wagner presents

No. 661 WHEREAS, in June, 1984, the Commonwealth of Pennsylvania adopted the Motor Carrier Safety Assistance Program (MCSAP) and repealed Section 4522 of the Pennsylvania Motor Vehicle Code; and

WHEREAS, by repealing Section 4522 of the Motor Vehicle Code, no city, county, or township police officer in the Commonwealth, except a limited group of State Police Officers, can enforce the Federal Motor Carrier Safety Regulations (FMCSR) for truck, truck tractor, and semi-trailer combinations engaged in interstate commerce; and,

WHEREAS, because of this inability of local police officers to enforce vehicle safety regulations and to inspect unsafe vehicles, more and more owners of trucks and tractor-trailers are sending their vehicles into the Commonwealth with procedural and equipment violations that directly effect their safe operations and endanger the lives of Pennsylvania motorists; and

WHEREAS, this hazardous situation must be remedied by amending the existing Section 4107 to include the phraseology of the repealed Section 4522;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby petition the

Legislature to amend Section 4107 of the Pennsylvania Motor Vehicle Code to include the following provisions:

**VIOLATION OF FEDERAL STATUTE
OR REGULATION**

General Rule: No person shall drive a vehicle on any highway in violation of any provision of a federal statute or regulation relating to any type of equipment or documents used in the vehicle while engaged in interstate commerce.

Penalty: Any person violating this section is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$100.00.

Mr. Wagner moved to adopt the resolution.

Mr. Givens seconded the motion.

Michelle Madoff:

Question before I vote on it. You only want to fine them \$100?

Mr. Wagner:

Well, the amendment, which I would like Jerry to speak to, is very important. At the present time, we cannot fine anyone anything. This piece of legislation that is now in Harrisburg is very important in terms of being a deterrent from keeping trucks that are violating the laws off our parkways and our interstate highways that are passing through the City of Pittsburgh.

Michelle Madoff:

The fact of life is that for \$100, if you got a major violation on your truck you'll send it in and pay the \$100.

We had an incident, as you recall, where a truck got loose and killed people at the Horne's Building, right near Horne's. What are you going to do with a \$100 fine? It's a joke. Put them in jail. Lock them up forever.

Mr. Wagner:

If I may, it depends also on the type of violation that is involved and there's other things besides a fine which Jerry will mention.

Michelle Madoff:

It isn't strong enough.

Mr. Wagner:

This is what is proposed in Harrisburg and this is what we would like to amend in Harrisburg.

Mr. O'Malley:

Jack, this says our local police, the inability of local police officers to enforce the Vehicles Safety Regulations and to inspect unsafe vehicles. Does this amendment give them the authority to do that? I don't see it in the amendment that this would give the local police officers the authority to inspect the vehicles.

Mr. Wagner:

Yes, it would.

Mr. Lynch:

Let me try to assemble this so it's easier rather than read the bill.

For instance, we have a tractor trailer coming down Liberty Avenue toward town in Bloomfield. A police officer pulls that vehicle over near the top of the hill, above Iron City Brewery

for speeding. During that citation, he sees that the tractor has no brakes, the trailer has an airline cut. There's nothing he can do about it. He can't secure that vehicle there under the current legislation.

Under the previous legislation, he could secure that vehicle, cause that driver not to be able to operate that vehicle, not to be able to have it moved unless it was towed. Now, the police officer could see numerous violations which are \$100 each, safety violations, could see numerous violations. He may be able to get a MCSAP, a State Police Officer from Harrisburg to come but I doubt that they would come that far for that violation, and once the police officer left, the vehicle could again move and lose his brakes or any number of other problems.

The only thing the police officer can stop him for now is City of Pittsburgh Vehicle Code Violations. Federal, they can't do a thing about it.

Mr. O'Malley:

Does this amendment give our police officers the ability to enforce the Motor Vehicle Code and stop that truck from proceeding if its found unsafe?

Mr. Lynch:

Yes.

Michelle Madoff:

I'm a little confused. Doesn't the State and City Vehicle Code, or do we have a City Vehicle Code that says that you cannot have brakes that are defective or wheels that are spinning out of line? Why don't we write our own code?

Mr. Lynch:

Well, the Federal Motor Carrier Safety Act which was demolished a year ago and the MCSAP program took it over, used to allow us to do that. But the reason this wording was left out of the bill was an honest mistake. Someone didn't notice it. But all the rural and City police officers really have no right to respond any longer.

Michelle Madoff:

Are we pre-empted by State law or can we write our own law as well? For example, let me tell you what my great concern is. You can write all the laws in the world but laws without enforcement are an exercise in futility. I have had boulders and pieces of metal fall off of trucks in front of me, once when I had a car two hours, a new car, under my car and ruin my car. I had to have \$200 or \$300 worth of work. Why aren't we enforcing the existing laws on tarpaulins? I wanted to enact a law on tarpaulins here and I was told we already have it in the Code. Why aren't our police enforcing it? Who's in charge of the Police Department on Council now?

The Chair:

The same man that is presenting this legislation and I'm sure he will take care of that.

Michelle Madoff:

Mr. Wagner, tarpaulins. All the dirt that we get in the City, all the boulders and pieces of metal that fall off. I want every truck tarpaulined. I want to be able to cite them myself.

The Chair:

All in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Wagner:

If I may comment, Mr. President. Many of our police officers have attempted to fine and without this law backing them, they cannot. Jerry, as a Safety Coordinator, as met with police officers. He has brought that to our attention. That's the purpose of the resolution. The next step is to send this resolution to Harrisburg as an endorsement to this legislation. Thank you.

Mr. Depasquale presented

No. 614 Resolution providing for the issuance of a warrant in favor of Metz and Lautner (George Lautner, Partner) in the amount of \$5,527.01 in payment of Extra Work, being in addition to the original contract price of \$32,170.00 on Controller's Contract No. 27218, furnished for the benefit of the City in connection with the Rehabilitation of Fire Stations No. 16, 36, and 7, payable from Code Account PC 85-47 (PRIOR APPROVAL GRANTED)

Also,

No. 615 Resolution providing for the issuance of a warrant in favor of Sargent Electric Company in the amount of \$260.00 in payment of Extra Work, being in addition to the original contract price of \$81,632.00 on Controller's Contract No. 27720, furnished for the benefit of the City in connection with the Building Electrical, Pittsburgh Zoo - Phase 4.1: Plaza, payable from Code Account PR 81-02. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on Finance.

Also,

No. 616 Resolution amending Res. No. 97, effective March 2, 1984, entitled: "Providing for a Contract or Contracts, or use of existing Contracts, for the rehabilitation of various Housing Authority Playgrounds including Glen Hazel and Bedford Housing sites; and providing for the payment of the cost thereof," by increasing the total project allocation from \$40,000.00 to \$70,000.00, chargeable to and payable from CDPR 83-10 - \$40,000.00, and CDEC 85-35 - \$30,000.00. Approximately \$55,000.00 will be used at the Glen Hazel Playground to renovate and update the finishes and equipment and improve the safety.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 617 Resolution providing for authorization to advertise for, award and enter into Contracts or use of existing Contracts for the purchase, lease and/or installation, etc. of equipment, services, materials and supplies for the development of the City of Pittsburgh's Municipal Services Cable Channel 15 and the Bureau of Cable Communications TV Production Facilities at a cost not to exceed \$182,000.00, chargeable to and payable from the Community Communications Trust Fund, Bureau of Cable Communications, Department of Public Works.

Also,

No. 618 Resolution amending Res. No. 602, effective July 20, 1984, entitled: "Providing for a Reimbursement Agreement or Agreements with the County of Allegheny in connection with the

renovation of elevator "K" in the City-County Building; and providing for the payment of the cost thereof", by changing the renovation from Elevator "K" to Elevator "G", the aggregate cost shall not exceed \$150,000.00, City's share shall not exceed \$75,000.00, chargeable to and payable from the Communication Communications Trust Fund, Code Account CC, Department of Public Works, Bureau of Cable Communications.

Also,

No. 619 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Lawrence Staab, James Lenkner and Ellen Clair to attend the Professional Development Seminar at Duquesne University on May 29-30, 1986, at a cost not to exceed \$1,800.00, payable from the Community Communications Trust Fund.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 620 Resolution providing for the issuance of a warrant in favor of Motorola Communications & Electronics, Inc., in the amount of \$11,475.00 in payment for the moving of command consoles and related equipment at Medic Command, due to time constraints imposed by Presbyterian Hospital, payable from Code Account 1132-5, Radio Improvements, Department of General Services.

Which was read and referred to the Committee on Finance.

Also,

No. 621 Communication from George Jacoby, Director, Department of

General Services, requesting permission for Chet Malesky to attend the Regional Procurement Conference in Washington, D.C. on April 16-17, 1986, at a cost not to exceed \$500.00, payable from Code Account No. 1128. (PRIOR APPROVAL GRANTED)

Also,

No. 622 Communication from George Jacoby, Director, Department of General Services, requesting permission for Chet Malesky and Rory Melnick to attend the National Institute of Government Purchasing's 41st Annual Conference and Products Exposition in Washington, D.C. from August 3-6, 1986, at a cost not to exceed \$1,500.00, payable from Code Account 1128.

Also,

No. 623 Communication from George Jacoby, Director, Department of General Services, requesting permission for Barbara Burger to attend the National Safety Council Public Employees Section Executive Committee Meeting in Milwaukee, Wisconsin from June 23-26, 1986 at a cost not to exceed \$800.00, payable from Code Account 1128.

Which were severally read and referred to the Committee on General Services.

Mrs. Masloff presented

No. 624 Resolution amending Resolution No. 229, effective March 31, 1986, entitled: "Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to enter into Agreements in individual amounts less than \$5,000.00 with various performers, instructors, artists and other persons with specialized skills in connection with the Department's various Recreational and Instructional

Programs", by specifying that the Agreements are for the calendar year 1986 and by deleting any reference to an aggregate amount.

Which was read and referred to the Committee on Parks and Recreation.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 625 Resolution authorizing the issuance of a warrant in favor of ABCO Fire Protection, Inc., in the amount of \$627.73 in payment for the servicing and inspection of fire extinguishers furnished for the benefit of the City, chargeable to and payable from Code Account No. 1807, Repairs, Department of Parks and Recreation.

Which was read and referred to the Committee on Finance.

Also,

No. 626 An Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, Chapter 161, by adding 161.20, "Acquisition and Disposition of Animals and Plants at the Zoo, Aviary and Phipps Conservatory.

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 627 Resolution providing for

the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing of twenty (20) portable radios at the Pittsburgh Zoo at a cost not to exceed \$7,900.00, payable from Trust Fund PZCDI Pittsburgh Zoo Capital Development and Improvement, Department of Parks and Recreation.

Which was read and referred to the Committee on General Services.

Also,

No. 628 Resolution providing for an Agreement or Agreements with various contractors to provide professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$81,865.00; \$10,665.00 chargeable to and payable from Code Account 1833 Recreational Activities, Concerts, and \$71,200.00 from Code Account 1838 Recreational Activities, Miscellaneous Services, Department of Parks and Recreation.

Also,

No. 629 Resolution providing for an Agreement or Agreements with the Pittsburgh Trust for Cultural Resources for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986 at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1838, Miscellaneous Services, Department of Parks and Recreation.

Also,

No. 630 Resolution providing for authorization to enter into an Agreement or Agreements with various contractors for professional services in conjunction with the Department of Parks and Recreation, Special Events and Cultural Affairs Summer Program at a cost not to

exceed \$25,000.00 chargeable to and payable from the Special Parks Program Trust Fund, Department of Parks and Recreation.

Also,

No. 631 Resolution providing for an Agreement or Agreements with Allegheny County Institutional District in connection with the Federal Area Plan for Programs on Aging providing for payment and reimbursements to the City by Allegheny County Institutional District for expenditures in connection with the Senior Citizens Program, providing for the payment of the City's share of the cost. The City Treasurer is hereby authorized to deposit funds in the Senior Citizens Program Trust Fund (SCPTF).

Also,

No. 632 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Robert Jones to attend the Pennsylvania Parks and Recreation Society Conference on April 5-6, 1986, cost not to exceed \$200.00, payable from Code Account 1801. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 633 Resolution further amending Res. No. 733 of 1983 as amended by Res. No. 548 of 1985 and Res. No. 1201 of 1985 entitled: "Providing for an Agreement or Agreements with various Private for Profit and Non-Profit entities to provide employment opportunities for low and moderate income City residents in connection with the 1983 CDBG

Emergency Jobs Bill Program and providing for payment of the costs thereof," by providing for the reprogramming of unspent funds by reducing the amount available for administrative costs by \$23,200.00 and by reducing the amount available for subcontracts by \$113,600.00 and by increasing the amount available for participant wages and fringes by \$136,800.00, payable from the 1983 CDBG Emergency Jobs Bill Program, Department of Personnel and Civil Service Commission (PC-83-01), federal funds.

Also,

No. 634 Resolution providing for the issuance of a warrant in the amount of \$76,000.00 in full settlement of a claim for personal injuries to Diane Verdeal Tench, deceased with plaintiff, in full settlement of claim, arising from an accident at or about the corner of Lemington and Lincoln Avenues in the City of Pittsburgh on September 12, 1979 in the nature of a falldown causing personal injuries to the deceased wife plaintiff Diane Verdeal Tench payable from Code Account No. 46, Judgments.

Also,

No. 635 Resolution providing for a Professional Services Agreement or Agreements for the provision of automating the Maintenance Management System in the Department of Parks and Recreation at a cost not to exceed \$20,500.00 for the Bureau of Information Systems, City Information Systems, Department of Mayor, payable from Code Account 1043, Miscellaneous Services.

Also,

No. 636 Resolution providing for the filing of a petition or petitions for

the sale of property, acquired at tax sales in accordance with Act No. 514 of 1947, as amended. Properties are in various wards of Pittsburgh.

Also,

No. 637 Communication from Melanie Smith, Director, Department of Personnel and Civil Services, requesting permission for Susan Gove to attend the Third National Labor-Management Conference in Washington, D.C. from May 28-30, 1986, at a cost not to exceed \$850.00, payable from Code Account 1100.

Also,

No. 638 Communication from Melanie Smith, Director, Department of Personnel and Civil Services, requesting permission for Anne McCafferty to attend the Pennsylvania Service Delivery Area Association Annual Conference at Seven Springs, Pennsylvania from April 30 - May 2, 1986, at a cost not to exceed \$275.00, payable from the JTPA-1 Trust Fund. Use of a City vehicle is also requested.

Also,

No. 639 Communication from Ronald C. Schmeiser, Director, Department of Finance, submitting a report of deposits and market value of collateral security pledged by City Depositories to secure same as of March 31, 1986.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 640 Resolution providing for an Agreement or Agreements with the University of Pittsburgh - Office of Urban & Community Affairs for the

"Development of an Informational Profile of the Black Community in Pittsburgh", at a cost not to exceed \$50,000.00, chargeable to and payable from the 1985 Community Development Block Grant Program - "Unspecified Local Options" (CC-85-01).

Also,

No. 641 Resolution Repealing Res. No. 791, eff. August 23, 1985 entitled: "Providing for an Agreement or Agreements with the Bethlehem Haven of Pittsburgh, located at 620 Smithfield Street and the URA for renovation of their building at 1111 Penn Avenue, for provision of homeless-support, at a cost not to exceed \$90,000.00, chargeable to and payable from the 1985 Community Development Block Grant Program - 'Unspecified Local Options' (CC-85-01), is hereby repealed."

Also,

No. 642 Resolution Repealing Res. No. 806, effective August 23, 1985, entitled: "Providing for an Agreement or Agreements with the Washington Heights Athletic Association, for the City's share in the construction of a facility to be used for the organization's programs at a cost not to exceed \$10,800.00, chargeable to and payable from the 1985 Community Development Block Grant Program - 'Unspecified Local Options' (CC-85-01), is hereby repealed."

Also,

No. 643 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William J. McShane II for the sale of Block 23F Lot 320 (208 Jacksonia Street), 25th Ward, City of Pittsburgh, for the sum of \$3,500.00. The redeveloper plans to rehabilitate the

existing residential structure on this lot. The redeveloper's address is 5440 Ellsworth Avenue, Pgh., PA 15232. The lot is being acquired following certification as blighted property by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 644 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Womanspace East, Inc., for the sum of \$35,000.00 — Neighborhood Housing Fund.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 645 Resolution providing for the letting of a Contract or Contracts or the use of existing Contracts for the furnishing, on site delivery and installation of a Firearms Training System for the Department of Public Safety, Bureau of Administration Training Center at a cost not to exceed \$40,000.00, chargeable to and payable from the Department of Public Safety, Bureau of Administration Code Account (PRIST).

Which was read and referred to the Committee on General Services.

Also,

No. 646 Resolution providing for a Contract or Contracts or the use of existing Contracts for the renovation, remodeling and refurbishing of the fourth floor of the Public Safety Building to include but not be limited to the electrical work, plumbing, carpeting and

painting at a cost not to exceed \$28,000.00, chargeable to and payable from the Department of Public Safety, Bureau of Administration Code Account (DPSTPP).

Also,

No. 647 Communication from John Norton, Director, Department of Public Safety, requesting permission for Paul Imhoff to attend the Association of Major City Building Officials Executive meeting in Arlington, Virginia on April 20, 1986 and the Workshop on Accountability and Building Designing Construction Process on April 21, 1986, at a cost not to exceed \$600.00, payable from Code Account No. 1476.

Also,

No. 648 Communication from John Norton, Director, Department of Public Safety, requesting permission for Roy Cox, William Miller, Horace McDaniel, William Mullen, John Leahy, Denise Haas, John Moran and Boyd Messinger to attend the Results Management '86 seminar in Pittsburgh, PA on April 29-30, 1986, at a cost not to exceed \$800.00, payable from the Department of Public Safety, Bureau of Administration Code Account DPSTPP.

Also,

No. 649 Communication from John Norton, Director, Department of Public Safety, requesting permission for Charles Moffatt to attend a seminar on Special Weapons and Tactics in Washington, D.C. from April 22-24, 1986, at a cost not to exceed \$900.00, payable from the Department of Public Safety, Code Account DPSTPP.

Also,

No. 650 Communication from John

Norton, Director, Department of Public Safety, requesting permission for Robert McCaughan, Thomas Huerbin, John Bronder, Jack Marks, Harold Denson and Anthony Laush to attend Phase II, Water Rescue Course in Harrisburg, PA from April 18-20, 1986, at a cost not to exceed \$1,600.00, payable from Code Account DPSTPP. Use of a City vehicle is also requested.

Also,

No. 651 Communication from John Norton, Director, Department of Public Safety, requesting permission for Bernard Schmiedeke, Lawrence Harding, Ronald Nyman and Richard Passaro to study the Firearms Training System in Toledo, Ohio on April 7-8, 1986, at a cost not to exceed \$500.00, payable from Code Account DPSTPP. Use of a City vehicle is also requested.

Which were severally read and referred to the Committee on Public Safety.

Michelle Madoff:

Mr. President, I am sitting in a draft. Sophie and I have been ill many times because of this draft; it hits right over here. You were supposed to fix it. We could open a window and turn off the air-conditioning.

The Chair:

Michelle, it's 72 degrees. It's not cold.

Michelle Madoff:

There's a draft. I don't care if it was 22 degrees or 100 degrees. There's a draft. Get Mr. Fisher to fix it and open a window. It's not funny. I'm tired of being sick.

The Chair:

Alright, please everybody, sit down. Open a window.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 652

Report of the Committee on Finance for April 9, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 527

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Criscella Construction Company (Emeric A. Criscella, President) in the amount of \$4,957.00 in payment of Extra Work, being in addition to the original contract price of \$45,825.00 on Controller's Contract No. 27188-F, furnished for the benefit of the City in connection with the Modification to Special Populations Program Centers, and providing for the payment thereof."

Which was read.

Also,

Bill No. 528

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Allison Park Landscape, (Frank Zottola, President) in the amount of \$1,075.91 in payment for Extra Work, being in addition to the original contract price of \$111,375.00 on Controller's Contract No. 27612-F, furnished for the

benefit of the City in connection with the Reconstruction of Gomer Street Wall from Sterling Street to Mission Street, and providing for the payment thereof."

Which was read.

Michelle Madoff:

I'm abstaining on Bills 527 and 528 because they're extra work and I wasn't here to find out why they're extra work so I'm going to abstain on those.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

(MICHELLE MADOFF ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 540

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Fleming Gray Limited in the amount of \$879.30 in payment for parts for the skate sharpening machines at Schenley Park Skating Rink, furnished

for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 541

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Hendee Zoological Company II in the amount of \$545.00 in payment for the purchase of birds furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Michelle Madoff:

On Bill 541, I have asked for years that we have an increase in beeper service for the Aviary and Conservatory

and since that has not happened yet I'm going to have to vote no on that bill.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES 1

(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 542

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Carnegie Library of Pittsburgh in the amount of \$896.45 in payment for utility costs for the Sheraden Senior Citizen Center furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 543

A Resolution entitled, "Resolution

authorizing the issuance of a warrant in favor of Stadiums Unlimited in the amount of \$600.00 in payment for parts for the Trans-stage furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 549

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, for sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 514 of 1947, as amended."

Which was read.

Also,

Bill No. 550

A Resolution entitled, "Resolution providing for the filing of a petition for the sale of property acquired at a tax sale in accordance with Act No. 171 of 1984, effective December 11, 1984."

Which was read.

Also,

Bill No. 551

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for sale of properties acquired at tax sales in accordance with Act No. 514 of 1947, as amended."

Which was read.

Also,

Bill No. 552

A Resolution entitled, "Resolution Repealing Res. No. 959, Item M, approved October 1, 1981, which authorized the sale of property in the 19th Ward, being a vacant lot, located on Southern Avenue, designated as Block 4-K, Lot 231, to Robert J. Luttig and Nicoletta L. Luttig, his wife, for the sum of \$450.00."

Which was read.

Also,

Bill No. 553

A Resolution entitled, "Resolution amending Res. No. 36, Item L, approved February 4, 1986, which authorized the sale of property in the 21st Ward, being a vacant lot at 1323 Adams Street, to James Glascoe & Evelyn A. Glascoe, his wife, for the sum of \$600.00."

Which was read.

Also,

Bill No. 554

A Resolution entitled, "Resolution amending Res. No. 36, Item J, approved February 4, 1986, which authorized the sale of property in the 19th Ward, being vacant land, located on Coast Avenue and Cagwin Street, designated as Block 35-J, Lots 96-98, 157, to John R. Kilkeary and Mary G. Kilkeary, his wife, for the sum of \$975.00."

Which was read.

Also,

Bill No. 555

A Resolution entitled, "Resolution authorizing the City to enter into a Cooperation Agreement or Agreements with the County of Allegheny and the School District of Pittsburgh to implement a pilot program whereby students of the Connelley Skill Learning Center shall rehabilitate a certain single family dwelling located at 1721 Cliff Street, in the 3rd Ward, City of Pittsburgh, which property is owned by the Three Taxing Bodies."

Which was read.

Mr. DePasquale:

Mr. President, I just wanted to state we're all aware that Bill 555 is a pilot program and I wanted to add that the Board of Education, I've talked to most of the members, are quite optimistic about this program. They feel that it's going to be very successful. Hopefully the beginning of it is successful, and I don't see why it won't be, and then they'll have many more after that.

Mr. Givens:

On the same bill, Mr. President, I was not here last Wednesday and I have some concerns. Has this been given to the Allegheny Labor Counsel for their scrutiny, and if not, I would ask that the bill be held. It's not that I am not for this, I am. But I would like to see, and rightfully so, a coordination between the trades within Allegheny County and the City of Pittsburgh with that of what the school's doing. I think it's a good complement but I would like very definitely to have their blessings in this before we go forward and do this actual work because sometimes the various trades feel that this is an infringement upon their skills when they have people that are unemployed out there. However, when it comes down to education, many times they'd like to even participate in helping out those children who are going through the trade school here.

The Chair:

I'm not going to speak for what the the Administration has done but I know that the building trades are very involved with Connelley Vocational and I'm sure that they don't have any objections. In fact, we tried to get something similar to this a few years back with Frankie Mae Jeeter and her Welfare Rights Organization with -- Nick Stavanovich and I were working on that about four years ago, on a project similar to that.

Mr. Givens:

I just have that question and for that reason and some other questions I have on the bill, I would like to --

Mr. Woods:

Building trades very, very seldom do commercial work, especially home

work, and I don't feel there's any problem whatsoever. In fact, most of the North Side knows that the building trades are not even involved in that. They do commercial, light industrial and industrial. So, I don't see any problem with this.

Mr. Givens:

I'll rely on your good judgment. Okay.

Michelle Madoff:

I agree with you, Mr. Woods, on Bill 555. What we need to do is expand that a lot more to have sweat equity where some of the homes, you put them on the market quickly before they're cannibalized and let people get together in groups. I don't know if you recall, it was before your time, we had the squatters here. We had a real big problem with ACORN. People going into the houses when they were evicted from the houses. There's no reason why we can't make good solid homes that need to be perhaps gutted and redone, sweat equity, retired carpenters, electricians, who would volunteer to help in the community and I'd like to see this bill go far beyond this one example and that's being put together by I guess a training school, to teach the youngsters or those who are in retraining.

I'm saying that we ought to expand this and perhaps, Mike, you could dig out my old resolution somewhere and we'll put in another one that we make our houses available through sweat equity. Perhaps Mr. Pollock and his committee would look into it. He probably is already but that is something that we ought to be doing. We have this supply of houses that come on the market, hundreds of people in each shelter. They have nowhere to live, they don't have the money to rehab, but through sweat

equity and through community involvement. It's very much the way they used to do barn-raising. We could make a lot of houses available to people.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 562

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of First Response, Inc., 4788 Highway 42, Ellenwood, GA 30049, in the amount of \$1,233.00 in payment for Inverter Reconditioning and providing for the payment thereof."

Which was read.

Also,

Bill No. 563

A Resolution entitled, "Resolution providing for the issuance of a warrant in

favor of Penetone Corporation, 74 Hudson Avenue, Tenafly, NJ 07670 in the amount of \$363.60 in payment for a Power Cleaner and providing for the payment thereof."

Which was read.

Michelle Madoff:

On Bill 563, I'm sorry, I was out ill, I've really been doing a number on myself these days. The power cleaner being paid for from EMS. What is a power cleaner and why is the EMS fund paying for it? It was furnished without previous authority of law, so it had five signatures. But what is it? What's a power cleaner? Who is using it and why are we paying for it out of the Emergency Medical Fund?

Mr. Givens:

It cleans Fire and EMS uniforms.

Michelle Madoff:

Fine. Now I know it's a good thing.

Also,

Bill No. 564

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of National Academy of Criminal Justice, P.O. Box 102, Midway, MA 02053 in the amount of \$295.00 for an In-Car Seminar Police Training Program and providing for the payment thereof."

Which was read.

Also,

Bill No. 565

A Resolution entitled, "Resolution providing for the issuance of a warrant in

favor of Lafayette Instrument Company, Inc., P.O. Box 5729, LaFayette, Indiana 47903, in the amount of \$329.28 in payment for repairs made to a Polygraph Machine and providing for the payment thereof."

Which was read.

Also,

Bill No. 566

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Insulfoams, Inc., 3550 Spring Garden Road, Pittsburgh, PA 15212, in the amount of \$4,990.00, in payment for foam filling of the pontoons of the Boat House and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 597

A Resolution entitled, "Resolution transferring \$15,000.00 from Code Account 1475, Index Code 147504, Salaries and Wages, Regular and Temporary Employees, Department of Public Safety, Bureau of Building Inspection to Code Account 1475-1, Index Code 147512, Premium Pay, Department of Public Safety, Bureau of Building Inspection."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 653

Report of the Committee on Finance for April 14, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 513

A Resolution entitled, "Resolution supplementing and amending Resolution No. 1281 of 1985, effective January 1, 1986, entitled: 'Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1986' by increasing estimated revenues and establishing a line item appropriation entitled: 'URA Development Loan'."

Which was read.

Also,

Bill No. 514

A Resolution entitled, "Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to provide funds for the making of funds for the making of loans in connection with the Urban Redevelopment Authority's Business Reinvestment Fund in the amount of \$20,000,000.00, payable from Code Account No. 52, URA Development Loan."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Malley:

In accordance with Section 322 of the Home Rule Charter publication effective date of legislation, I move that the effective date on Bill No. 597 shall be the date on which it is signed by the Mayor.

Mr. Givens seconded the motion.

Michelle Madoff:

Would somebody please tell me what that is?

Mr. Perry:

That's so the Payroll Department can meet the payroll for this Wednesday. That's Bill No. 597, File No. 300.

Michelle Madoff:

What held it up?

Mr. Perry:

They were late in submitting it.

Michelle Madoff:

Okay.

WHICH MOTION PREVAILED.

Mr. Givens presented

Bill No. 654

Report of the Committee on Public Works for April 9, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 530

A Resolution entitled, "Resolution granting unto Fischer Scientific, their successors and assigns, the privilege and license to construct, maintain and use a line of steel post in a portion of the sidewalk of Watson Street in line with the existing telephone poles at the rear of 711 Forbes Avenue, in the 27th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 531

A Resolution entitled, "Resolution granting unto Sheraden Congregation of Jehovah's Witnesses, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Driveway Extension and Parking Lot on a portion of the roadway of Acasto Way in the 20th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 532

A Resolution entitled, "Resolution amending the Title and Section 1, 3, 5, 6, and 7 of Resolution No. 820 approved

August 19, 1985 effective date August 23, 1985 entitled: 'Sidewalk Encroachment on a Portion of the Sidewalk of 23rd Street in the 2nd Ward of the City of Pittsburgh.'"

Which was read.

Also,

Bill No. 533

A Resolution entitled, "Resolution vacating the Easterly 15' portion of Monmouth Street between Nicholson Street and Taylor Allderdice Athletic Field in the 14th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 655

Report of the Committee on Planning, Housing and Development for April 9, 1986 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 140

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 5 by changing: From "R2" Two-Family Residence District to "C1" Neighborhood Retail District certain property located on the southeast corner of BRIGHTON ROAD and GOE AVENUE and identified as Lot No. 120, Block 114-S in the Allegheny County Block and Lot System, 27th Ward."

Which was read.

Mr. Pollock:

I would like my comments from the Committee Meeting on Bill No. 140 brought forward please.

(MR. POLLOCK'S REMARKS ON BILL NO. 140 - WEDNESDAY, 4/9/86)

Mr. Pollock:

At the hearing, there were concerns raised by some of the neighbors regarding -- their fear was that once the zone change takes place, that even though the use will be for a doctor's office, there is no guarantee that the future use will be for a doctor's office. My understanding is that the neighbors have met with the developers and owners

of the property and have received assurances and they are satisfied. I checked with them and I received a signed document from the people who attended the public hearing that they now consent and join in this petition. So, I'm content that the zoning change go through. I just wanted to put that on the record.

(END OF REMARKS)

Also,

Bill No. 557

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William J. McShane II for the sale of Block 23E Lot 220 in the 25th Ward of the City of Pittsburgh (RESALE FOR REHABILITATION)."

Which was read.

Also,

Bill No. 558

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Nadine Brnilovich for the sale of Block 30A Lot 171 in the 16th Ward of the City of Pittsburgh (SIDEYARD)."

Which was read.

Also,

Bill No. 559

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to convey and the City of Pittsburgh to acquire the

property designated as Parcel 119 in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32."

Which was read.

Also,

Bill No. 560

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 12th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block and Lot 125-K-130 under the Industrial Land Reserve Fund."

Which was read.

Also,

Bill No. 561

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 14th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block and Lot 125-P-151 under the Residential Land Reserve Fund."

Which was read.

Michelle Madoff:

Where in the 14th Ward?

Mr. Pollock:

I call it the Homewood area, right off of Fifth Avenue down near Thomas Boulevard.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 656

Report of the Committee on General Services for April 9, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 535

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of an X-Ray Machine for the Department of General Services, Code Account 4-30-01-0001-86, Index Code 370320, Miscellaneous Equipment for City Departments for payment thereof."

Which was read.

Also,

Bill No. 536

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of Multi Station Exercise Machines for the Department of General Services, Code Account 4-30-01-0001-84, Index Code 370304, Miscellaneous Equipment for City Departments for payment thereof."

Which was read.

Also,

Bill No. 545

A Resolution entitled, "Resolution amending Resolution No. 171, effective March 11, 1986, entitled: 'Providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing and delivery of twenty (20) Lawnmowers and fifteen (15) two/four wheel tractors for the Department of Parks and Recreation, payable from Code Account 1808, Index Code 180802, Equipment, Department of Parks and Recreation, and for payment thereof,' by increasing the number of two/four wheel tractors to 20 and the amount provided to \$86,875.00."

Which was read.

Also,

Bill No. 546

A Resolution entitled, "Resolution amending Resolution No. 169, effective March 11, 1986, entitled: 'Providing for the letting of a Contract or Contracts, for the use of existing Contracts for the

furnishing and delivery of various park maintenance equipment for the Department of Parks and Recreation, and for payment thereof,' by decreasing the amount provided to \$9,345.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 657

Report of the Committee on Parks and Recreation for April 9, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 544

A Resolution entitled, "Resolution providing for the filing of an application

by the City of Pittsburgh with the Pennsylvania Commonwealth, Department of Education for a grant in connection with the Special Summer Food Service Program Project: providing for the execution of Grant Contracts and for the filing of requisitions and other data, approving the Project, providing for required assurances, providing for execution of payment vouchers or Letter of Credit and for certification of authorized signatures, and providing for the deposit of the funds in Special Summer Food Service Program account."

Which was read.

Also,

Bill No. 547

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of supplies and materials for major repairs in the Department of Parks and Recreation, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 663 Communication from Richard S. Caliguiri, Mayor, informing Council of reappointment of Frank Brooks Robinson as the joint City-County appointee to the Public Auditorium Authority of Pittsburgh and Allegheny County for a term to expire in December, 1990.

Which was read, received and filed.

Also,

No. 664 Communication from Richard S. Caliguiri, Mayor, submitting the name of Robert Ravenstahl as a member of the Board of Water Assessors.

Which was read, received and filed.

Also,

No. 665 Resolution that the appointment by the Mayor of Mr. Robert Ravenstahl of 24 Radium Street be and the same is hereby approved and confirmed as a member of the Board of Water Assessors.

Which was read.

Mr. O'Malley:

Move to approve.

Mr. Wagner seconded the motion.

Which motion prevailed.

Michelle Madoff:

I have several items. I would like to call to Council's attention, and I would like to request a post agenda or a hearing, whatever the President thinks is appropriate, and perhaps there might be a letter to go first to Mr. McDermott and to Mr. Gaetano. There is something drastically wrong in Denmark; there is something terribly wrong with what was done on McArdle Roadway.

I want to know how it was engineered because there is a sharp turn coming off the hill. I want to know how it was engineered so that water runs down from the top and freezes and we've had some severe, serious, serious accidents. People leaving places of employment on the Hill when one person spun around six times, was unconscious, they were going to sue us. I understand there may be a question of liability with the Port Authority pipes. I want to know why today, as I drove down, there was a boulder half the size of that desk sitting on the wall that rolled off the top on the right hand side coming down from Mount Washington.

There is something seriously wrong with the design and the way that whole job was handled. I see people working there all the time taking some kind of measurements with some kind of telescopes; I guess they're measuring to do sidewalks and other things. I want to know why it wasn't put in the initial contract. I want to know how much more it's going to cost us because it wasn't in the initial contract, and I want to know what the serious problems are with that roadway.

I know that Mr. Wagner was working on that. Whose department is that now? I can't keep track; we change all the time.

The Chair:

Mr. DePasquale.

Michelle Madoff:

Mr. DePasquale's committee. I'm sure Mr. DePasquale will be happy to set up a hearing to get all that information but a letter first of all might be able to explain some of it. If not, I want a public hearing and I want a notice and I want people who live on Mount Washington or who use that roadway to know, Arlington people, to come and partake and find out what has happened to their tax money because it certainly was abused in that area. It's a disgrace. That's the road to the mountain which is our Niagara Falls, absolutely the show piece of the City.

I have two other items.

The Chair:

Let me make one comment while you're looking for your other items.

We had a post agenda scheduled for Wednesday and I think a number of us attended a meeting last week. We're going to have to cancel that post agenda, it's with the refuse workers, at 1:30 on Wednesday, because they are in the process of bargaining their agreement. If we meet with them, the Administration can conceivably file unfair labor practices against that union. So, would you please cancel that post agenda.

Michelle Madoff:

I have two other items. We have life rafts that are being questioned that have been put around the City on our bridges. I'd like to know what the cost of them are. I'd like a report from the Safety Department. I would say, Mr.

Wagner, that perhaps this Council should be informed say every six months whether they have been removed and whether they are still in place.

And while we're at it, could I please get an accounting from I guess it would be Mr. Jacoby, I'm not sure, what it costs us to put up the telephone system in the City that was ripped out. We've done away with it; we got sold a bill of goods that we actually had to have this telephone service outside for people to use the telephones and now they've been removed.

I want to know what it cost the taxpayers, what the dollars were. I believe it was thousands and thousands of dollars.

Mr. O'Malley:

Hundreds of thousands.

Michelle Madoff:

Thank you. I'm not finished; I have a couple of items.

The last but most important item, since I have been on this Council, and I was very instrumental, probably the motivating factor in creating a lease department for vehicles, for those members of Council who were not here at the time, we were having innumerable accidents in our Refuse Department. I went back over my records, I asked the Law Department or the Budget Department to prepare a list for us, a chart, that showed in what department accidents took place, what month they were, because when I said the accidents took place in January, I was told by the Refuse Department that it was because it was icy. I went back and found the accidents were in August and they said it was because it was hot out. Then we found that most accidents took place in

April, May, and the off-season months.

It was agreed that we put in a safety program to teach the people who use these, they're no longer dump trucks. When they have a refuse truck it's a very sophisticated piece of equipment with hydraulics. We had incidents where drivers were putting burlaps over the motors and within one week an \$80,000 vehicle was burned up. We have no insurance; we're self-insured and because of the material that was put together, Mr. Yatch created the Leasing Department. We needed cars at that time for police, the police couldn't go out, we didn't have mechanics taking care of our trucks.

Because of the bill that will come up on Wednesday that Mr. Woods is introducing on drug testing, whether people are subject to abuse of drug or alcohol, I thought it would be important if we go back over the last three years and compare where and what departments we are having claims, what amounts, what departments and what vehicles. In other words, where are the accidents taking place and what is it costing the taxpayer both in claims that are settled out of court and in repairs that are done in-house, do we have enough mechanics, and so on.

To my shock and surprise, I learned today after sort of tracking Mr. Buckley who is out ill, for months and his asking me for extensions of time, extensions of time, extensions of time, which I graciously granted to him because he was swamped and we were going through budget, it has been over six months that this Councilmember has requested a breakdown by department of repairs on, excuse me, what the claims were and what the costs were and, as you know, we get a list, under \$700 and over \$700.

We had Mr. Dan Pellegrini come to

this Council to explain to this Council and to Mr. Buckley and to the Budget Office people, that he didn't have to supply this information because indeed he sends down a sheet to Mr. Perry and Mr. Perry sends it on to Council that says a claim was settled out of court and what it was, what the accident was, so that a listing could be compiled. And that is the records that Mr. Buckley was to use. But he didn't have to give him any other information.

I hope everybody understands what I'm talking about. It's claims under \$700 that are given to us but not broken down by departments and they're claims over \$700. And, of course, that doesn't include any cost to the taxpayer in the repairs that come to us in the form of a letter and that Mr. Buckley could use that letter to give us claims over \$700.

What I learned today is that there are claims paid out of the Judgment Code, Code 46, and it is a certificate of judgment issued by the Judge. They never come to Council. They go right to Mr. Ray Johnson. I requested the last three years; they're coming off the microfiche. I want to know what additional cost to the taxpayers have we got in addition to the below \$700, settled out of court, over \$700. And I'm going to expand it further by asking whatever department deals with the repairs service of our fleet, of course I'm not terribly concerned about fire trucks and so on which are franchised out, I also understand we just hired somebody to repair our vehicles. We've contracted out or hired someone who is doing the work down at the place where we store our vehicles.

Basically what I'm saying to you, bottom line, folks, we're asked to vote, we appropriate money for the budget, we don't know the numbers because they've never been given to us and I don't

understand why it would go to the Controller without our getting a copy. So, I'd like to make a motion that, a) in all future claims ordered by the court, that they don't go directly to the Controller for payment and again they are called certificates of judgment, we get copies in this Council so we know at least what we're paying, and I would like to share with you when I get the list, it should be in my office any moment now, on the last three years of the claims that were settled.

I was told by Mr. Buckley just a few minutes before we came into Council that the big money, the biggest portion of our debt comes from that Code 46, Judgments, and we never get that information. I was sort of appalled and very, very surprised because the figures were then very distorted. We do get settlements if they don't go to court and its settled out of court, but we don't get the judgments ordered by the court. We never know if it's a large amount. If Michelle Madoff settled for a claim on her arm and the court ordered me to be awarded \$100,000, this Council would never know about it. We don't even vote on it. It just goes right down and is paid out of the Controller's Office. I think we want to know what is going on. I'm appalled, I'm floored. Did anybody else know this?

The Chair:

Michelle, it's a court order or something. I don't think it's within our power to vote on it, whether to pay it.

Michelle Madoff:

No, no, I don't want to vote. I want to be informed. I just want to know what we're paying in claims. Where are the accidents generated? What kind of programs do we need? Do we need an inebriation program expanded? Do we

need a training program expanded? Are people on drugs? I don't know. But when you look at some of these things and you take a look at the volume, the seriousness of the accident, how it happened, you get some idea, even from the \$700 under claims and the ones that are settled. But more importantly, what I'm talking about now, I'm mixing apples and oranges right now. One is where the accidents take place; the other one is the fact that we vote on taxes every year and we have really no idea of what we're paying out in claims. I would like to know that. I think everybody here would like to know that. All I'm saying is that we're not getting the information we need.

The Chair:

We know the bulk of what we're paying out.

Michelle Madoff:

No. I was told that the greatest bulk is paid in those claims.

The Chair:

But we fund that code account so we know what we're paying out, we just don't know —

Michelle Madoff:

I want to know what I'm paying for; I don't want a lump sum.

The Chair:

I see no problem with that.

Michelle Madoff:

Can I ask you the question, do you know, does any member of this Council, can they tell me what we pay in claims on Code 46, the total?

The Chair:

I don't have that off the top of my head.

Michelle Madoff:

I can tell you that for two years we paid \$4 million for the Zoo, the Aviary and the Conservatory —

The Chair:

Michelle, do you want the information?

Michelle Madoff:

Yes.

The Chair:

Did you make a motion?

Michelle Madoff:

Yes, I did.

Mr. DePasquale:

I second the motion.

The Chair:

It has been seconded.

Mr. Pollock:

Could someone please read me what the motion is or tell me what the motion is?

The Chair:

Just that we get on all the judgments, Code Account 46, that the court orders us to pay, it doesn't come through Council — Ms. Madoff wants a list of every time we have to pay out and who it's to.

Mr. Pollock:

If she will permit me to amend her motion, I would ask that we send a letter to Mr. Pellegrini requesting that upon any judgment or verdict that he send us a brief synopsis of the history of the case and the decision of the judge or whatever tribunal rendered the decision. That could be done in a couple paragraph form.

Michelle Madoff:

That would be most acceptable to me. I understand that's already done but it doesn't go to us, it goes to the Controller.

I'll second the amendment.

WHICH MOTION PREVAILED.

The Chair:

Now on the motion as amended.

Mr. Wagner:

I would just like to suggest to my colleague, Councilwoman Madoff, that I think the way we want to go here is, we want to know what the number of accidents are per department with vehicles. Recently Council passed legislation for workers' compensation. We are beginning this year in the budget for every department we will know specifically what their losses are in terms of accidents for people working in the department. I would suggest that we expand that through additional legislation to include other types of losses, equipment, vehicles, damage to property, etc., so that when we vote on the budget each year there will be a separate listing for each department, not only for workers' compensation accidents and claims paid out, but also for vehicle accidents, property damage, etc.

The Chair:

Let me do something. We just made a motion and an amendment. Michelle, I did this to you before but believe me, I'm being nice. We want this to be law, we want to make sure they send it up. Right now this is a wish of Council. You could take that and do nothing; it's just like these resolutions. Would you please draft it, introduce it, including what Mr. Wagner says here, we'll pass that and then they have to do it. Okay?

Michelle Madoff:

May I respond? I wanted to share what I learned today with Council so that everybody could come up with their ideas; I'm not married to the words. I think it's an excellent idea that we hold off and put it in writing and I'd be more than happy.

But I do want to point something out if I may. Mr. Perry, you have a copy of my last summary, the one I did when Mr. Yatch created the Leasing Authority, which does indeed do what Mr. Wagner is asking for. It breaks down by department, by vehicle, and I would like to share that with all members of Council so we have a base from which to expand. You may likely have done it, you may want to improve upon it, and therefore, when I put it together in some written form, with the help of Rick Infante, and I do want to publicly state that Rick Infante has done a phenomenal job of writing, I just want to give him a little credit there, that we can expand on it but you may like it just the way it is.

The Chair:

Okay, so we'll withdraw that motion and you'll put it in writing.

Mr. Wagner:

Mr. President and members of Council, it's been brought to my attention through the media that our request made last week to the Election Department of Allegheny County has in essence been denied due to the procedures by which it was requested, meaning that we made a request for a formal audit to be conducted of campaign expenses for calendar year '85 and under the form by which we made that request, it cannot be done.

I would suggest, and I would like to make a floor motion, that we proceed in another direction with another request. My colleague, Councilman Pollock, being a lawyer I know he knows the procedure much better than I and I would like to defer to him as to what that procedure is.

Mr. Pollock:

Section 1636 of the Campaign Expense Reporting Law, a Pennsylvania State Statute, states that any individual who has been required to file an expense account may that report audited by the following procedure and that is, any five electors may present a petition to the Court of Common Pleas of the County in which the report was filed. The Court will then order that the Election Department certify the account back to the Court. That means present the expense account back to the Court with all the documents attached to it.

The Court will then appoint an independent auditor and the auditor audits the report. The Court or the auditor fixes a date and time at which date and time the candidate or the elected official who filed the report of which the petition is filed shall be required to be present and answer questions under oath concerning that

report and to verify the report filed.

The petitioners may request that subpoenas be issued to any parties to appear and give testimony regarding said report.

After this has been completed, the auditor will then file the audit with the Court and the Court would review this audit and if the Court finds that any part of the report was false in any substantial manner, or if the Court determines that any expenses that were incurred were done so illegally or were not valid election expenses, then the Court would certify its decision to the District Attorney and direct that the District Attorney institute criminal proceedings.

Further, the cost of the audit would be borne by the candidate or the elected official.

Michelle Madoff:

Mr. Woods, as you may recall when this issue came up, I had a motion which was defeated that we include all elected officials. Mr. Flaherty our Controller, and the Mayor, so we were not discriminating and zeroing just on Councilmembers, that everybody obey the same rules. I lost the vote so I then said I would go ahead and proceed in any event, and my information was that you needed five members of the electorate to petition the Courts. But I was also informed that if there's nothing wrong with the audit, and let's assume we did it on the Mayor or on a member of Council who had a lot of money and a lot of expenditures, and nothing was found wrong, that the five who petitioned have to pay the court costs.

I personally don't have the money but if there are five good citizens out there who would like to pay the costs of the audit, should it be found that there

were no errors, that it was a perfectly legal audit, I would ask them to step forward. And that's not really a wish because I think there are people who would do that. Somebody came up with \$5000 when we had our Water and Sewer Authority to hire an attorney for us, I don't think Council is aware of it, and paid for that because they believed we should not have a Water and Sewer Authority. The felt very strongly about it and they went out and hired an attorney in the private sector who testified before us and who was opposed to it.

I would like to further take this opportunity, if you will indulge me, to state a case which, for some obscure reason that escapes me, has never hit the media. The comment about Councilmembers spending money in off-year elections. Let's tell it like it is, folks. Mr. Givens, when I first got to Council, informed me that he had done a study, and I thanked him for it, that showed that Councilmembers spend between \$5000 and \$6000 a year on requests for items such as: This Thursday Mr. Jack Robin, the architect of Renaissance I and II is being honored. There's no way as an elected official I cannot attend that. That comes out of my political fund. When a charitable organization calls my aide and says, "Isn't Michelle supporting this community group?" That's a political contribution. When I am invited to support a charitable organization or a cultural thing in the City by virtue of my office, somebody in the private sector can be asked to support it and say they don't want to do it, but as an elected official we cannot say we won't do it. We have to lend our support.

This is terribly important. There's been so much said in the paper, Mr. Woods, that I think the public needs to understand that every year, every day,

and I will be happy to give you copies of the letters that come to our office saying that we are the so and so community group, we support you, we know that you won't let us down, and would you please buy tickets to our bingo, our Monte Carlo night? This money is going to be used for the community good, it's going to be used for supporting the orphans, buying food for those, whatever it is, and as elected officials we must be supportive of the cultural arts and of the community groups endeavors because those are the people who work for us or against us, the community groups in particular.

We don't have the option of saying we don't have the money and I don't think at \$33,800, it's a matter of public record what Councilmembers earn, that we can go into our own pockets for \$6000 and \$7000. My office has spent, in the first three months of this year, probably \$3000 and that doesn't include the fact that I went to the Opera Ball and paid \$300 out of my own pocket. If I'm going to be criticized for spending \$200 to the finest group that has the best record of dispersing money to charities overseas and the group is out of California but solicits all over the United States, then I will be subject and I accept that kind of criticism because while it is true that it may not be helping me politically in the immediate area, I think that Councilmembers must set an example of being charitable and helping children suffering from famine and who are just bones and who don't have the opportunities that we have. When political leaders and people in the community come to me and say, "Michelle, would you please help and make a contribution to this group?", I don't care if they're out of China or California, they have the best track record in this country of giving the money. Their overhead is the least of any other charitable group.

I'm telling this to the public that is listening in on cable and I'm hoping the media will pick this up and be fair. I don't mind you attacking any member of Council and if you're right, let the hatchet fall where it may. When I vote incorrectly and I have done that occasionally because I may not have understood something and I get flack, I deserve what happens to me. But I also think it's important that people understand that we spend money every year, we have fund raisers every year, and what the money is used for. And that has never once come out in the media. Not once.

The Chair:

I haven't seen the letter yet, the City Clerk hasn't gotten the letter yet.

Mrs. Masloff:

One question. It's my understanding from what I've read in the papers that if they find any discrepancy we have the privilege of filing an amended report. Is that so? So that if there's anything wrong you can file, if they find any discrepancies you just file an amended report. That's my understanding.

Mr. DePasquale:

I just want to say for the record, none of my contributors have complained. In fact, in the last couple of weeks, I've been sent contributions of close to \$4000.

Mr. Wagner:

Mr. President and members of Council, according to the Charter, we have the responsibility to legislate and investigate City government. We do that quite often for the Administration, we do that for the Controller; we must also do

that for ourselves. What I am suggesting is that if we have been denied with our previous approach and our previous way of requesting that the County Board of Elections investigate, that we proceed with an other procedure.

My floor motion would be that we would be the nine signatures that would request that the Court assign an auditor to audit our expenses and I put that on this floor in the form of a motion and I firmly believe that should be the way we go.

Mr. Pollock seconded the motion.

Michelle Madoff:

Discussion. Again, would somebody please clarify for me, perhaps the Parliamentarian or someone who is a lawyer, is it not true that what I was told by our Law Department that if indeed we request the audit and nothing is found defective, the cost of the audit must be borne by the persons filing.

Now, if Council will appropriate the funds, I'll vote for it. I have no problem with it, Mr. Wagner and Mr. Pollock, but if I have to pay it out of my own pocket it could be thousands of dollars and I just don't have the money.

Mr. O'Malley:

I think the procedure that was asked for by Council last week is appropriate procedure. If I understand it properly, this Council asked the Election Bureau to come over and do an analysis of our expenditures or an audit from the Election Bureau of our expenditures and that if they find any inappropriate expenditures they would make recommendations to Councilmembers to correct them. If they find anything that they feel is intentionally inappropriate and illegal, then they will refer that to

the District Attorney's Office or to the appropriate law enforcement agency.

Michelle Madoff is correct when she states that any five members of the electorate can ask for an audit. She's also correct when she states that if, as Mr. Pollock stated, if there is intentional mistakes in the campaign expenses, then the expense of the audit is borne by the candidate. But if there are no intentional mistakes, then the expense of the audit is going to be borne by the five signatures requesting the audit.

What we're talking about is hundreds and hundreds of dollars. Personally, I don't care. The Press spent 10 hours on my campaign, expenses. My Treasurer spent an additional 16 hours. My own accountant spent another 6 or 7 hours. I spent time on it. But if it's found that there are no intentional mistakes, then the expense, and doing 9 candidates expenses is going to run into thousands of dollars. If there are no intentional mistakes, then that expense has to be borne by those that filed the petition.

I think what this Council asked for last week was the appropriate way to proceed.

Mr. Pollock:

It's my interpretation of the act that if an elected official or candidate's account is audited and the audit of that account reveals that there are no violations and the electors, everyone was accurate, that the electors who sought that audit would pay for it. I think that this is a risk that we as public officials should take. We're the ones who have been accused of having some improprieties. I think that it is incumbent upon ourselves, since no one else is acting upon it, the Election Department was requested and we've

been informed that they have refused to act, that because this cloud hangs over this entire body that we should all put up our own funds if that may be to verify that our accounts have been filed accurately. I, for one, will be one of the electors to file a petition requesting that all nine of our accounts be audited.

The Chair:

I've stated this once, and I just asked the City Clerk, I was not informed by the Election Bureau and neither was any member of this Council informed, or the City Clerk, what actions they're going to take. It may have been in the newspaper and I didn't read it but to be very honest with you, I don't take that as Gospel. I think the appropriate thing, we sent a letter and see if we get a letter back.

Michelle Madoff:

Mr. Woods, your point is well taken but I must inform you that even though they bypassed us they said they're going to do nothing. I think what my colleagues are saying is that there is a cloud hanging over our head and I think that I, for one, welcome an audit. I have one dispersement where I said St. Francis Hospital and I didn't put the address down, I'm sorry. I have no problem with having us all checked to see if indeed we are spending money maybe in ways we shouldn't be spending because, as Sophie Masloff has said, the election law itself is so very unclear and ambiguous, that when we buy a ticket to honor somebody, maybe it isn't considered political but since time immemorial it has been that way. I don't think there has been deliberate intention on my part, I speak for Michelle only, to defraud. But if there has been by other colleagues, I can only speak for myself, a way of taking political money and pocketing it themselves, I mean, that's obviously what

we're talking about so let's put it here on the table, I think that we should not operate under that cloud.

What I was trying to do, Mr. Woods, was to say to you that everything was covered except the parameters. When you see a cartoon in the paper, a very funny cartoon, a man having dinner in a restaurant and they say, "How would you like to pay? American Express, Visa, Mastercard or your political fund?", I think the public is entitled to know that we raise money every year, what the money is used for, and I think it was important to get that on the record and again I hope that my colleagues will be fair and say that that's what we do.

I will support my two colleagues in voting to appropriate dollars that would not come out of Michelle Madoff's pocket —

The Chair:

They're going to come out of your pocket.

Michelle Madoff:

No, I'm talking about Council voting to take it out of the funds to show that the elected officials are honest or not honest. I would support that.

The Chair:

Wait a minute. You cannot take public money to audit. No way. Mr. Pollock is talking about —

Mr. Pollock:

Nobody asked that.

The Chair:

She misunderstood you, Mr. Pollock.

Michelle Madoff:

I misunderstood. Would you please clarify that?

The Chair:

You take your own money.

Michelle Madoff:

Alright. May I suggest, Mr. Woods, that we make a plea to the public for those who have the money to come up and pay for the audits? I don't have the money for the audits. So, I would like to amend that motion that we ask the public to come up, private citizens who are concerned, to pay for the audit.

I have the floor; I'd like to finish please. Can I have everybody's attention because I wouldn't want them to miss a pearly word.

The Chair:

Well, Ms. Madoff, if they want to speak when you're talking please feel free to talk because when they were talking you were talking also. Go ahead.

Michelle Madoff:

This is serious now. I am very, very serious. I would like through the media to make a public plea for those who have money who would like to see good government, have our funds checked, to please step forward and create a fund to pay for that audit. I would encourage the electorate to do that. There are people out there who have the money because it could indeed run into many, many thousands of dollars. I don't have it, folks.

Mr. DePasquale:

Mr. Woods, in regards to what my

colleague, Michelle Madoff, has said, and she is so right, maybe it's seven or eight years ago, I'm not quite sure, maybe all of you are familiar or not with Uncle Tom, Mr. Morris, who wrote for the Post Gazette. He looked at my report and he discovered that I bought some suits and I charged them to the campaign. He put me in the headlines, okay, and he also stated that was liable for two years in jail, \$50,000 fine, and I don't know what else. He just ran off at the mouth. But on page 26 that same day, there was a perverted legislator who had committed sodomy with a young boy up in a Marriott Hotel. He made page 26; I made page 1 for the suits.

Now, they were told by the Bureau of Elections that those suits were a legal expense because they aided towards my election because I made a nicer appearance. The same if Michelle bought a dress or Sophie or anybody else bought a suit. I'm only telling you it's a legalized expense. Anything that you do within reason to get elected or re-elected is a legalized expense.

It's sort of ridiculous and asinine, I'll say it one more time, for a colleague to keep saying that we should be audited, that we should be investigated. What are they trying to prove? It's over there for anybody who wants to see it at the Bureau of Elections and anything we've done wrong is right over there right now. I defy them to prove that I did anything wrong and I don't know about anybody else in this Council and I'm not going to pay for any audit for anybody to investigate me or to audit me.

Mr. O'Malley:

I think it's a form of grandstanding by some of my colleagues here because Mr. DePasquale is right. —

Mr. DePasquale:

And even now I never received an apology from Mr. Morris or anybody at the Post Gazette.

Mr. O'Malley:

I think this has to be carried one step further. This Council here is talking about the expenditures of funds that were raised. I think the question has to be asked of the candidates of this Council and maybe the Controller and other people how those campaign funds were raised. There's some members of this Council who spent an awful lot of money in last year's election. It has come to my attention that some members of Council borrowed money from the URA at low interest rates. It came to my attention that some members of this Council —

The Chair:

Mr. O'Malley, we are not going to get into personalities —

Mr. O'Malley:

I'm not mentioning any names.

The Chair:

Mr. O'Malley, you're ruled out of order.

Mr. O'Malley:

May I continue?

The Chair:

Not on that subject.

Mr. O'Malley:

What? How campaign funds are acquired by using URA funds for fixing

up your home or remortgaging your home? Let's talk about that.

The Chair:

You are out of order, Jim. That's the end of that subject.

Mr. O'Malley:

Do you want some cheap grandstanding here? I'll give you some cheap grandstanding.

Mr. Pollock:

I don't think anyone so far has raised question or exception with anything that any of my colleagues have said so far in so far as there being significant sums of money which have to be spent in off-year elections when one is not a candidate. No one has said one word about that. No one has said one word about people spending money raised legally. Certainly I, for one, would not talk about how much money is spent. But what we're talking about is money that is spent illegally and money that is spent that is not related to getting someone elected. And we're talking about money that is funneled through an expense account to the candidate with no verification of there being a loan to the Committee, with there being no verification of any receipts for that reimbursement to the candidate.

If somebody receives \$7000 from his or her expense account and puts that money into his or her own pocket or uses that money for his or her own personal use, then that's like receiving \$7000 of tax-free income. It's like receiving an increase of one's salary of about \$10-15,000 because you have the use of \$7000 without paying taxes on it.

So, I think this is something very serious and not something that should be

just laughed over or not followed to the fullest. That is why I join Mr. Wagner's motion that all nine of us be the electors who request audits of all nine of our accounts.

Mr. Wagner:

Mr. President and members of Council, as I started out I indicated what responsibilities the Charter of this City gives us. It can be broken down into two words: legislate and investigate. That is our responsibility as a body. And if we can't start with ourselves, we cannot proceed beyond that.

There's no doubt in my mind that the public image, and it was mentioned earlier, there is a cloud over the head of this Council. That exists today, it has existed last week, it existed three weeks ago, it will continue to exist three weeks from now unless this Council addresses that issue publicly.

I am not in any way suggesting that anyone and everyone on this Council, in this society, does everything right. We all do things wrong. What's importance in terms of the confidence level of the public and elected officials is that we are open and out front about anything and everything we do. And in order to improve that confidence level, we must address pertinent issue of the day. This is a pertinent issue in the City today and I feel it should be addressed by this Council. It should be dealt with up front, publicly, and in a manner in which all of us can lift the cloud that appears to be over this Council.

Now, the motion made a week ago that was suggested to the Board of Elections, and you're right, Mr. Woods, we have not received a formal request, and maybe this vote should be delayed a week because we have not received in return the formal opinion of the Board of

Elections. But, the point that I want to make is that we can't dodge this issue, and I will not dodge the issue. And if I have to pay myself to have myself audited, so be it; I'll pay for it. But I want the public to have confidence in me as an elected official; I want the public to have confidence in this Council as a group of elected officials. That must be addressed, that must be done, and it must be done as soon as possible and I am suggesting that we do it as a unified group as soon as we possibly can.

I will defer to you, as President of Council, if you think we should delay until we find out formally what the opinion of the Board of Elections is on this issue. You're right, I have not seen anything in writing also; it's only what I am reading in the media and maybe the media has been more in tune as to what is happening and they have probably received a formal opinion and we have not.

The Chair:

Well, the reason I said I didn't receive anything, the City Clerk didn't and I doubt if any of you did because some of the media articles that appeared in the Pittsburgh Press were inaccurate, and I know they were inaccurate. Some statements that were made that the reporter reported were inaccurate. And we all know that everything that you read in the paper is not accurate. So, how do we know what that letter is going to say? And that was my original suggestion to you, that before you do anything let's see it in writing from their solicitor, from Mr. Scanlon.

Now we're not going to debate anymore. We're going to call the question or you're going to remove your first and second. That's it.

Mr. Wagner:

Mr. President, I would withdraw my motion for one week and ask for a response, a formal response, from the Election Headquarters.

The Chair:

Do you withdraw your second, Mr. Pollock?

Mr. Pollock:

I would just like --

The Chair:

We're not commenting.

Mr. Pollock:

Point of order.

The Chair:

There's no point of order on this subject. The motion has been withdrawn; is your second withdrawn?

Mr. Pollock:

I think you have to realize a point of order.

The Chair:

Is your second withdrawn, Mr. Pollock?

Mr. Pollock:

Did you withdraw your motion, Jack?

Mr. Wagner:

I will along with a formal request for a response.

The Chair:

We are expecting that. That was in the letter, that we wanted a response.

Are you withdrawing your motion, Mr. Wagner?

Mr. Wagner:

Yes.

The Chair:

Are you withdrawing your second, Mr. Pollock?

Mr. Pollock:

You're withdrawing your motion along with the formal request?

Mr. Wagner:

No, I am withdrawing the motion at this time, delaying vote on my motion. I will bring it up one week from now, and in the interim period, ask for a formal response in writing from the Election Bureau.

Mr. Pollock:

Do we have to vote on that?

The Chair:

No.

Are you withdrawing your motion?

Mr. Wagner:

Yes.

The Chair:

Are you withdrawing your second?

Mr. Pollock:

And you're saying you will submit a formal request?

The Chair:

I will do it.

Mr. Pollock:

And we'll get copies of it?

The Chair:

Of course.

Mr. Pollock:

Okay, I'll withdraw my second.

The Chair:

Okay, the issue is dead.

Mr. Wagner:

Mr. President, may I bring up one other issue?

Mr. President, I would just like to formally request with our public hearing tomorrow of which we have many, many speakers, that the appropriate department heads, meaning the URA, the Planning, and the Zoning Board, be in attendance at that public hearing to answer questions.

The Chair:

One other thing, and I will announce it tomorrow when we start the hearing so we all know, we have I think 60 —

Mr. Pollock:

One hundred.

The Chair:

We have 100 speakers so we are going to break for lunch tomorrow.

Michelle Madoff:

Excuse me, Mr. Woods, with reference to the hearing tomorrow, while the former President was not one of my favorite people he did ask people to have representation for the group and if you had nothing new to add not to speak. We don't need to hear the same thing over and over and over and over again.

The Chair:

Michelle, I do that but they still have the right to speak.

Michelle Madoff:

But you understand where I'm coming from?

The Chair:

Right.

And on the motion of **Mr. Givens**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXXI Monday, April 21, 1986

No. 16

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, April 21, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

Before our regular order of business we're going to take one resolution. Mrs. Masloff?

Mrs. Masloff:

Would Mary Alice Babusci, Molly Knox, Jean Owens, Martha Friday, Adrienne Goldstein, Valerie Tutokey, and Pat Hansen come forward, please?

Mrs. Masloff presents

No. 699 WHEREAS, thirty-seven million Americans become victims of crime each year in the United States; and

WHEREAS, the citizens of Pittsburgh who become victims of crime often suffer serious financial, physical, and emotional injury; and

WHEREAS, it is fair and just that victims of crime receive assistance and compensation to help lessen the burden of these injuries; and

WHEREAS, in Pittsburgh and elsewhere, both new and well established service programs for crime victims face a threat of having fewer resources as a result of federal deficit-reduction efforts; and

WHEREAS, National Victim Rights Week, April 20-26, 1986, is an appropriate occasion to express the public's gratitude for the vital services these programs perform for victims of crime;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the week of April 20-26, 1986 as "VICTIM RIGHTS

WEEK" in the City of Pittsburgh and urges all citizens and institutions, public and private, to support the establishment and enforcement of victim's rights in Pittsburgh through participation in state and local activities commemorating those rights and to assist their local victim assistance programs in every appropriate way to continue and expand their mission to help victims of crime.

Mrs. Masloff moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mrs. Babusci:

On behalf of the five domestic violence programs, Pittsburgh Action Against Rape and the Center for Victims of Violent Crime, I want to thank City Council for your support over the years and I want to thank you for this resolution today.

I think now more than ever it is important for the public and the private sector to work together on helping victims to overcome the terrible ordeal of violent crime, be it domestic or crime that occurs in the streets.

Thank you.

Michelle Madoff:

I wonder whether any of my esteemed friends, and I consider you that, you know I've been a supporter forever, had called to your attention as I did within the last half hour the article in the New York Times yesterday about the way women are treated in the courts as witnesses and how women are treated as attorneys. Women are discriminated against as attorneys; there's been sort of a study that proves that that is indeed

fact, and that women witnesses are not considered as credible as men witnesses. Of course that plays a major role in what we're trying to accomplish together. I think that would bear some investigation to see what we could do about changing some of that.

Mrs. Babusci:

I think that certainly on the national level that's true but I think that Pittsburgh is distinguished because the conviction rate on rape in '74 was 22 percent; ten years later it is 68 percent. So, we've really come a long way. Communities are beginning to work together.

Michelle Madoff:

We've been leaders thanks to people like yourself being out in the forefront but I just think that all the discrimination against women has not ended and we still have a battle to fight.

The Chair:

Thank you very much.

At this time I'd like to recognize a former Councilmember, Amy Ballinger, who served so well for this City for so many years.

Mr. DePasquale presented

No. 666 Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company (Peter Nicholson, President) in the amount of \$6,814.50 in payment of Extra Work in connection with the Goettman Street Wall Emergency Contract, payable from Code Account EC 86-30. (PRIOR APPROVAL GRANTED)

Also,

No. 667 Resolution providing for the issuance of a warrant in favor of Thomas A. Mekis & Sons, Inc. (Kenneth L. Wolf, Vice President) in the amount of \$1,248.57 in payment of Extra Work, being in addition to the original contract price of \$3,414,646.20, on Controller's Contract No. 27595, furnished for the benefit of the City in connection with the Demolition and Reconstruction of Baum Boulevard Bridge, payable from the Baum Boulevard Bridge Trust Fund. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on Finance.

Also,

No. 668 Resolution further amending Res. No. 284, effective March 29, 1985, as amended by Res. No. 167, effective March 11, 1986, entitled: "Providing for a Contract or Contracts for the Reconstruction of Penn Avenue from Beatty Square to Penn Circle East/South, including Street Lighting, Traffic Signalization, Intersection Improvements, work on private property and other work incidental thereof; and providing for the payment thereof," by increasing the total project allocation from \$1,611,624.47 to \$1,631,624.47.

Also,

No. 669 Resolution amending Res. No. 274, effective March 29, 1985, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants in connection with asbestos and environmental quality assessment and analysis at various City facilities; and providing for the payment of the cost thereof," by providing for a Supplemental Agreement or Agreements and by increasing the total project allocation from \$20,000.00 to \$50,000.00, chargeable to and payable from Code Account EC 85-61.

Also,

No. 670 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Architectural/Engineering Services in connection with the design of and preparation of documents necessary to rehabilitate the existing No. 1 Fire Station located at 344 Boulevard of the Allies at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account EC 86-68.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 671 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for furnishing, installing, removing and relocating certain electrical equipment necessary for the Street Lighting Department within the City of Pittsburgh at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account PW 86-06, Miscellaneous Electrical Services.

Which was read and referred to the Committee on Public Works.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 672 Communication from Frank Gigliotti, Deputy Director, Department of Public Works, requesting

permission for Constance Pukanic to attend the Information Script Workshop in Rockport, Maine from June 14-21, 1986, at a cost not to exceed \$1,350.00, payable from the Community Communications Trust Fund.

Also,

No. 673 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Frank Gigliotti, John Marotto, Steven Bolar, Edward Kreuzer, Nathan Blackburn, Adam Colaizzi, Regis Senko, Paul Ionadi, John Tortorete, Maroon David, Richard Miller, Robert O'Malley, and William Rodgers to attend an On-The-Job Safety in Public Works Clinic, in Pittsburgh, PA on April 29, 1986, at a cost not to exceed \$1,300.00, payable from Code Account 1610. Use of a City vehicle is also requested. (PRIOR APPROVAL GRANTED)

Also,

No. 674 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Ralph Kraszewski to attend the League of Municipalities Conference in Seven Springs, PA from April 3-6, 1986, at a cost not to exceed \$250.00, payable from Code Account No. 1502. Use of a City vehicle is also requested. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Works.

Mr. O'Malley presented

No. 675 Resolution providing for a Contract or Contracts or to use existing Contracts for the furnishing, delivery and installation of Office Furniture for the Department of Personnel and Civil Service Commission at a cost not to exceed \$22,000.00, chargeable to and

payable from Code Account No. 1101-1, Equipment, Department of Personnel and Civil Service Commission.

Also,

No. 676 Resolution providing for a Contract or Contracts or to use existing Contracts for the furnishing, delivery and installation of a Filing System and accessories for the Department of Civil Service Commission at a cost not to exceed \$8,600.00, chargeable to and payable from Code Account No. 1101-1, Equipment, Department of Personnel and Civil Service Commission.

Also,

No. 677 Resolution providing for the issuance of a warrant in the amount of \$16,000.00 in full settlement of a claim for personal injuries to Margaret Mary Lyden, deceased, arising from an accident involving a Department of Environmental Services vehicle at the corner of Penn Avenue and Main Street in the Lawrenceville section of the City of Pittsburgh on April 1, 1985, payable from Code Account No. 46, Judgments.

Also,

No. 678 Communication from Raymond Johnson, Deputy Controller, requesting permission for Michael Parks, Steve Verbanets, Anna Marie Kapolka and Richard O'Neil to attend the Pennsylvania G.F.O.A. East & West Chapters First Annual State Conference held in Carlisle, PA from April 23-25, 1986, at a cost not to exceed \$1,000.00, payable from Code Account 1048, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Also,

No. 679 Communication from Ronald Schmeiser, Director, Department

of Finance, requesting permission for Henry Sciortino to attend the Government Finance Officers Association's 80th Annual Conference in Los Angeles, California from May 31 to June 4, 1986, at a cost not to exceed \$1,700.00, payable from Code Account 1063.

Also,

No. 680 Communication from Ronald Schmeiser, Director, Department of Finance, requesting permission for Richard Murphy to attend the North West Center for Professional Education Seminar for the Leasing of Commercial Real Estate in Arlington, Virginia from May 22-24, 1986, at a cost not to exceed \$950.00, payable from Code Account Three Taxing Bodies Trust Fund.

Also,

No. 681 Communication from Melanie Smith, Director, Department of Personnel and Civil Service, requesting permission for Barbara A. Brown to attend a two day work shop on Project Self Sufficiency in Washington, D.C. on April 21-22, 1986, at a cost not to exceed \$250.00, payable from the JTPA Trust Fund. Use of a City vehicle is also requested. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 682 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 8 by changing: From "R2" Two-Family Residence District to "RP" Planned Residential Unit Development District all that certain property located on the southeast corner of PAULINE AVENUE and CROSBY AVENUE, 19th Ward.

Also,

No. 683 Resolution approving a Conditional Use Exception under Section 993.01(a)A 33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for construction of a six-story building as a Housing Facility for the Elderly containing 52 dwelling units with parking for 12 automobiles on property located on the southeast corner of PAULINE AVENUE and CROSBY AVENUE, 19th Ward.

Also,

No. 684 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 2 by changing: From "S" Special and "R3" Multiple-Family Residence Districts to "RP" Planned Residential Unit Development District certain property located on the westerly side of MEXICO STREET between RANKIN AVENUE and FAIRLEE STREET, 27th Ward.

Also,

No. 685 Resolution approving a Conditional Use Exception under Section 993.01(a)A 33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for authorization to construct a five-story building as a Facility for the Elderly containing 52 dwelling units with parking for 11 automobiles by the Ukrainian Catholic Diocese on property located along the westerly side of MEXICO STREET north of CHIDELL STREET, 27th Ward.

Also,

No. 686 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Susan Tymoczko to participate in HUD's Project Self-Sufficiency Workshop in Arlington, Virginia on April 20-22, 1986,

at a cost not to exceed \$450.00, payable from Code Account No. CDPA. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 687 Communication from John Norton, Director, Department of Public Safety, requesting permission for twenty-seven (27) Police Lieutenants and Sergeants to attend the Police Supervisors Training Program at the Public Safety Training Academy in Pittsburgh, PA from April 28-30, 1986, at a cost not to exceed \$2,500.00, payable from the Department of Public Safety, Code Account PRIST.

Also,

No. 688 Communication from John Norton, Director, Department of Public Safety, requesting permission for John Leahy to attend the Metropolitan Chief's Conference of the International Association of Fire Chiefs in Fort Worth, Texas from May 2-7, 1986, at a cost not to exceed \$1,300.00, payable from the Department of Public Safety, Bureau of Fire Code Account DPSTPP.

Which were read and referred to the Committee on Public Safety.

The Chair presented

No. 689 Resolution transferring the aggregate amount of \$27,800.00 from Code Account 10, Accounts Payable Prior Years to Code Account 1103, Miscellaneous Services - \$15,800.00 and Code Account 1838, Miscellaneous Services - \$12,000.00.

—(SPONSORED BY MR. WOODS)

Also,

No. 690 Communication from Daniel Pietragallo, Executive Director, The Housing Authority of the City of Pittsburgh, submitting a report listing the name, position and salary of each employee of the Housing Authority as of December 31, 1985.

Which were read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 691

Report of the Committee on Finance for April 16, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 577

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carl J. Bonidie, Inc. (Carl J. Bonidie, President) in the amount of \$4,877.10 in payment of Extra Work, being in addition to the original contract price of \$48,375.00 on Controller's Contract No. 27219, furnished for the benefit of the City in connection with the Rehabilitation of Fire Station No. 7, 16, and 36; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

(MICHELLE MADOFF ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 578

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pugliano Construction Company (Angelo Pugliano, Partner) in the amount of \$355.00 in payment of Extra Work, being in addition to the original contract price of \$739,000.00 on Controller's Contract No. 27222, furnished for the benefit of the City in connection with the Building General Contract for Construction of Phase 4.1: Plaza work at the Pittsburgh Zoo; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES 1

(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 579

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Conn Construction Company (Converse Branscome, Jr., President) in the amount of \$22,144.50 in payment of Extra Work, being in addition to the original contract price of \$2,536,174.03 on Controller's Contract No. 27563, furnished for the benefit of the City in connection with the Reconstruction of the Pennsylvania Avenue Roadway and Bridge; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock

Mr. Grabowski
Mrs. Masloff

Mr. Wagner
Mr. Woods
(Pres't)

AYES 8 NOES none

(MICHELLE MADOFF ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 587

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$4,903.00 in favor of IBM Corporation for specially ordered items not included on the price lists of present City contracts. Funds are available from Code Account 1045, Index Code 104505, Equipment, City Information Systems, Department of the Mayor."

Which was read.

Also,

Bill No. 588

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$9,750.00 in favor of Gondelman Baxter McVerry Smith Yatch & Trimm for legal services rendered to Robert Rade Stone, in conjunction with Civil Action No. 85-1525, filed in the United States District Court for the Western District of Pennsylvania."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mr. O'Malley
Mr. Givens Mr. Pollock
Mr. Grabowski Mr. Wagner
Michelle Madoff Mr. Woods
Mrs. Masloff (Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 589

A Resolution entitled, "Resolution providing for a Professional Services Agreement or Agreements for the provision of computer training services at a cost not to exceed fifteen thousand dollars (\$15,000.00) for the Bureau of Information Systems, City Information Systems, Department of Mayor, Code Account No. 1043, Index Code 104307, Miscellaneous Services and for the payment of the costs thereof."

Which was read.

Also,

Bill No. 590

A Resolution entitled, "Resolution providing for a Professional Services Agreement or Agreements for the provision of a needs assessment in connection with an automated activities tracking system for the Department of Law at a cost not to exceed eight thousand dollars (\$8,000.00) for the Bureau of Information Systems, City Information Systems, Department of Mayor, Code Account No. 1043, Index

Code 104307, Miscellaneous Services and for the payment thereof."

Which was read.

Also,

Bill No. 591

A Resolution entitled, "Resolution amending Resolution No. 150 approved February 26, 1986 and effective March 3, 1986 entitled: 'Providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act; providing for execution of Grant contracts for the filing of requisitions and other data; providing forj the appointment of the Private Industry Council and authorization for the Private Industry Council and the City of Pittsburgh to enter into agreements authorized by the Job Training Partnership Act; providing for required assurances; providing for execution of payment vouchers and for certification of authorized signatures; providing for a contract or contracts with various agencies/employers for services and programs related to training and employment for the Job Training Partnership Act Projects; and providing for the deposit of funds into a bank account,' by increasing the aggregate amount payable to \$2,200,000.00."

Which was read.

Also,

Bill No. 592

A Resolution entitled, "Resolution authorizing the transfer of \$2,275.00 from the JTPA-2 Trust Fund, federal funds, Index Code 260356, to the General Fund of the City of Pittsburgh to partially reimburse the City for its

payment for damages to vans used during the 1984 JTPA Summer Youth Program."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 692

Report of the Committee on Public Works for April 16, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 580

A Resolution entitled, "Resolution Repealing Resolution No. 876, effective September 1, 1982, amended by Resolution No. 456, effective June 24, 1983, entitled: 'Providing for an

Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the Reconstruction of Arlington Avenue; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Pollock presented

Bill No. 693

Report of the Committee on Planning, Housing and Development for April 16, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 595

A Resolution entitled, "Resolution providing for an Agreement or Agreements for Professional Auditing Services in connection with the 1984 through 1986 Community Development Block Grant Program and the Community Development Block Grant Program - Third Party Contracts."

Which was read.

Also,

Bill No. 596

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of City Planning to enter into an Inter-governmental Co-Operation Agreement or Agreements with the Steel Valley Authority for various administrative items, at a cost not to exceed \$50,000.00."

Which was read.

Michelle Madoff:

Mr. Woods, are any of those bills from Unspecified Local Options assigned to either the Mayor's Office or Council?

The Chair:

Not to my knowledge, no.

Michelle Madoff:

I had made a formal request, I'll try again, may I please address Councilman O'Malley?

The Chair:

No. We're discussing these bills.

Michelle Madoff:

I just want to get my list.

The Chair:

No. We're discussing these bills.

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

Bill No. 694

Report of the Committee on Water for April 16, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 539

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase of office

furniture and equipment for the Department of Water and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 695

Report of the Committee on Parks and Recreation for April 16, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 624

A Resolution entitled, "Resolution amending Resolution No. 229, effective March 31, 1986, entitled: 'Resolution authorizing the Mayor and the Director

of the Department of Parks and Recreation to enter into Agreements in individual amounts less than five thousand dollars (\$5,000.00) with various performers, instructors, artists and other persons with specialized skills in connection with the Department's various Recreational and Instructional Programs', by specifying that the Agreements are for the calendar year 1986 and by deleting any reference to an aggregate amount."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 696

Report of the Committee on Public Safety for April 16, 1986 transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 598

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article VII - Parking, Chapter 541 - General Parking Regulations, Section 541.01 - Prohibition in specified places by clarifying the prohibited parking space at a transit stop. Section 541.01 (a) (12) is hereby amended to read as follows: "Within fifteen (15) feet of a transit stop sign."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 602

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a consultant for professional services in connection with

the establishment of an Office of Professional Responsibility within the Department of Public Safety, and providing for the payment of the cost thereof."

Which was read.

Mr. Pollock:

Mr. President, I have some comments and a motion concerning Bill No. 602.

First of all, I'd like my comments from Wednesday brought forth.

(BEGINNING - MR. POLLOCK'S
REMARKS ON BILL NO. 602 -
WEDNESDAY, 4/16/86)

Mr. Pollock:

When we were at the Mayor's Legislative Agenda Conference on April 7, this legislation was submitted by Director Norton to Chairman Wagner and was not on the agenda conference. When it was passed to us at the table, it had the language that the agreement was to be specifically for Bob Coll, unless I'm mistaken.

Mr. Perry:

That was on a cover letter.

Mr. Pollock:

Right.

Mr. Perry:

Right.

Mr. Pollock:

I would assume that the amendment to the cover letter which omits the name Bob Coll was

unintentional, and I would further assume specific consultant who is being offered the contract is still Bob Coll. Well, are we not then wasting our time if Bob Coll doesn't want to enter into a contract with the City of Pittsburgh? And it's my understanding that that is in fact the case, that while he might appreciate the offer, he doesn't want any part of it, and if we approve this legislation, then it seems to me if Bob Coll is the one who was sought for this position and he doesn't want it, then with all due respect, you could go out and fill it with any other person. So, rather than us vote on this legislation that is meant for Bob Coll, I would ask that we hold it until we get testimony from Bob Coll to see if he wants this position rather than allow legislation to be enacted and it can be filled by somebody at any other time who maybe we don't want for that position. So, I would ask the Chairman to hold the legislation until we get a report from Mr. Coll.

MR. GIVENS COMMENTS

MICHELLE MADOFF COMMENTS

Mr. Pollock:

The last time I looked, in order to have a contract, you have to have two parties. If this person doesn't want to accept it, then we don't have a contract. Now, Mr. Givens has been out of town, and he hasn't spoken to Mr. Coll. Mr. Coll, from my understanding from what he said to me in this hall does not want this agreement, does not want to be a consultant. So, I think before we can pass legislation, we should have Mr. Coll at this table or have a letter submitted from him saying that he would like this position before we go out and try to find somebody to fill it.

(END OF REMARKS)

Mr. Pollock:

Secondly, I would like to place on the record some facts which are extremely relevant to Bill No. 602.

If you will recall, there was discussion concerning Bill No. 602 relative to whether this legislation was designed for one individual, namely Robert Coll, or if it was just legislation to be filled by any qualified individual if, in fact, any other qualified individual could be so identified.

Director Norton gave me his assurance that this legislation was, in fact, only meant for Bob Coll and that if Bob Coll did not accept this contract offer, that the position would not be filled. He gave me that assurance on Wednesday.

Needless to say, I was extremely disheartened and concerned when I saw in the newspaper on Friday that Director Norton stated something directly in contradiction to that and the report in the paper said that if Mr. Coll did not accept this position, that it would be filled by some other individual. Needless to say, there is a conflict in these two statements, if, in fact, the report in the newspaper was accurate and I have no reason to doubt that it was.

My point is that I would hope that before members of this body vote, and I will be making a motion prior to our voting which I hope will be passed, but if, in fact, it is not, I hope that the members of this body will consider this before enacting this legislation and will take serious heed of the fact that if any member who would vote in favor of this, as the majority did on Wednesday, is thinking that this legislation is earmarked only for Bob Coll and so want it to be only for Bob Coll and not for any other individual, the enactment of this

legislation does not carry with it that stipulation and that Director Norton, or whoever he may designate to so offer a contract to a consultant, would have a free hand to offer it to any individual and Council is then out of the picture.

So, the question before this body is, today, does Council want to put forth legislation to have a consultant hired at the rate of \$26,000 for six months, to any individual and then leave it at that and give Director Norton or whoever a free hand to identify that individual for that consultant contract.

Having said that, I would make a motion to recommit this legislation to Committee for further analysis, discussion, and research to determine if, in fact, only Bob Coll is to be offered this consultant contract and if, in fact, Bob Coll desires this consultant contract and if, in fact, Bob Coll does not want this consultant contract, that this legislation be tabled permanently. Do I have a second for my motion?

Mr. O'Malley seconded the motion.

Michelle Madoff:

Discussion. I was going to make the same kind of comments that my colleague, Mr. Pollock, has made but I was going to take a different tact. This morning, as we all know, a new Police Chief was --

Mr. DePasquale:

Mr. President, if I may --

Michelle Madoff:

I'm on the recommitment. I am on the issue of recommitment.

The Chair:

Gretchen, on a recommittal you can discuss; am I correct?

Parliamentarian:

I it is seconded you can discuss it.

The Chair:

Okay. Ms. Madoff?

Michelle Madoff:

As we all know, this morning a new Chief of Police was appointed and his name, as you know, is Mr. Moore. He is now Superintendent Moore, I believe that's the correct title.

In his opening remarks, he made the comment that he had already talked to people about getting some help. One of the people he talked to about getting help was indeed Superintendent Coll. In most corporations and in most business operations, there is an orderly transition, a period of changing hands on the job and learning what has happened before because Mr. Moore said today himself that he'll have a lot to learn about the new job.

It would seem to me that Bob Coll, having received accolades from us at the last Monday meeting, would certainly be in a position to help in an orderly transfer and help the new Police Chief who is obviously Mr. Moore. Originally, this bill came in with Mr. Coll's name on it and that name was taken off. It would seem to me that the proper way to proceed would be to put Mr. Coll's name back into Bill 602 to hire a consultant. After all, there's no reason why Mr. Coll who is going into the business of consulting now, into the private sector as a consultant in the field of security, should not be paid for his

services in that transition time. As a matter of fact, many corporations, when they hire a new president or a new director will have two people, they pay both of them, the new person coming in while they're learning and the one going out, while they're going on to perhaps another job.

So, I would strongly suggest that we don't keep batting this back and forth and putting it back into Committee and taking the time and just put Mr. Coll's name back in. We vote it up or down. If Mr. Coll doesn't take the job, so be it. If he does, Lord knows, we need the input of the man who we've all applauded and felt he has done an outstanding job.

Mr. Wagner:

Mr. President, my first question would be, and I suspect we could know this from the Parliamentarian, I don't believe it's possible to put a name in this legislation according to our procedure for contracts. Is that correct?

The Chair:

I believe we can do it.

Mr. Wagner:

We can do it?

The Chair:

Yes.

Mr. Wagner:

Okay. The next point I would like to make is that, well first of all, I'd like my comments brought forward from last Wednesday's meeting for the record.

(BEGINNING - MR. WAGNER'S
REMARKS ON BILL NO. 602 -
WEDNESDAY, 4/16/86)

Mr. Wagner:

Councilwoman Madoff, if you will recall, last week there was a news release by the Mayor of the Police Chief leaving our City. In that news release, it indicated the individual would be considered for consultant position. And this legislation pertains to two items. It is a consultant to assist in the transition of the office of Chief of Police and the same individual or individuals would assist in the development of the Office of Professional Responsibility which falls under the Assistant Director of Public Safety.

MICHELLE MADOFF COMMENTS

Mr. Wagner:

I'm objecting to the legislation.

MICHELLE MADOFF COMMENTS

Mr. Wagner:

This Council has funded at great length millions of extra dollars into the Department of Public Safety to hire new personnel, confident personnel to fill the positions which we have funded. What we are now saying with this legislation is that we want to assist the individuals that are filling those positions in performing their duties in the position during that transitional period.

I personally feel that if we are hiring confident people to fill those positions, they do not need assistance from other individuals to know how to meet the job duties of those positions. Just to reflect a little bit on the consultant contract that we approved for the Bureau of Police to evaluate the Bureau of Police, we are in essence

adding onto a consultant contract which this Council approved last year, an additional \$26,000 to assist in the Chief of Police Office, and in addition to that, the area of Professional Responsibility. We do not need any more consultants in the Department of Public Safety. What we need to do is to simply move forward in the right direction to address the problems that were brought to our attention when the Public Safety Department was formed.

MICHELLE MADOFF COMMENTS

DIRECTOR NORTON COMMENTS

MICHELLE MADOFF COMMENTS

Mr. Wagner:

Well, if I may comment. Director, I don't want to get into a disagreement at this table because obviously we have had a few disagreements in the past, and I would rather not talk about this one here at this table. However, I could talk at great length if you want to talk about it, and I totally disagree that the purpose is for assistance in the area of Professional Responsibility because I know only too well what the original letter said that was sent to the President and members of Council. And each member of this Council received that letter. I would appeal to my colleagues that this \$26,000 is not needed in the Department of Public Safety.

Director Norton was approved by the Mayor and he was confirmed by this Council. He has hired an Assistant Director. He has appointed a Chief of Police in place of another Chief. Your department is in the process of filling many positions, and this Council has every right to believe that the assignments and positions that you fill will be with confident people.

The taxpayers should not be burdened with an additional \$26,000 in money to assist those people. This Council does not hire a consultant when a new member of Council is elected to consult with the Councilman. Other Departments in this City, when we fill new positions that we find, we do not hire consultants to assist those individuals. We hire confident people to fill those positions. The same situation exists in the Department of Public Safety, and I highly recommend not to approve this legislation for that reason.

Members of Council, there was a previous letter. The previous letter was changed at my request to Director Norton. Prior to changing the previous letter, Director Norton and I had a discussion that I would support this legislation if in fact the previous Director wanted this position because I felt that he was very confident. I have had a lengthy discussion with him, and he in no way ever requested or asked or has indicated that he would accept a consultant position with the City of Pittsburgh. For that reason, I am stating quite frankly that I have investigated this to great degrees, and I know the situation. If in fact the legislation is passed and that scenario is correct, which I firmly believe that it is, another person can be chosen as another consultant. Now, we have a consultant right now working, evaluating the Police Bureau in this City. There is no reason that if we need a consultant to evaluate the Police Chief position in the area of Professional Responsibility in which a great portion pertains to police work, that that present consultant on duty that has not yet completed 50 percent of their consultant report cannot address this situation. It is within the realm of the responsibility of that contract that they can evaluate these positions and assist in direction for a person within that position.

We are placing consultant on top of consultant and I am strongly recommending to this Council that the morale of this Police Bureau does not need another consultant, and I have requested an interim report on the consultant that we initiated, this Council approve and voted for, and I approved and voted for. I have yet to receive a report. And while we are talking about another consultant on top of that, I strongly recommend that we do not approve this legislation.

(END OF REMARKS)

Mr. Wagner:

I don't think there is a need to continue to determine or evaluate whether or not we should have a consultant for this purpose and I think it's clear cut. I think this Council should vote on that today, up or down, and the reason being that I firmly believe we don't need consultants for transitional periods for directors, especially due to the fact that we have funded a new department to a great degree with taxpayers' money, with many new positions, to the point where the Safety Director of this City and the Chiefs that report to the Safety Director, have more than adequate help in terms of people working for them to help them in those positions. We hire competent people, we promote competent people; we do that for that reason. And the reason should be that they move into that position and do the job which we feel they're capable of doing.

For that reason, I cannot support holding this legislation at this point.

The Chair:

I'd like to make a suggestion if I can. I know many of us are interested in seeing that Bob Coll gets this. If you

would, those of us that want to see him get this contract, I can't make a motion, I wish that you would defeat this motion to recommit and, Ms. Madoff, make a motion to add his name to it after that is defeated, and then we vote on that, then we vote it up or down that way.

Michelle Madoff:

May I make a comment, Mr. President? I think your point is well taken and I would hope that the Councilmembers would heed your thoughts and vote accordingly.

But in response to my colleague, and one of the things that I respect about Councilman Wagner is that we can disagree without being disagreeable and he doesn't fine me, and that is that there is no question that everything he just said, that there is so much money and so many new positions at stake, we're talking about hundreds of thousands of dollars that for us to not insure whatever we can absorb and retain from the good work that Mr. Coll did, to reinforce that financial commitment that we've made, would be foolhardy, that indeed, if we for a pittance of \$26,000 and a budget of \$180 some million, could get the input of all the years of experience for Mr. Coll to have an orderly transition to know some of the things that have happened so that we can approve upon them or go on from them or for whatever reason that Mr. Coll was not allowed to do what he may have wanted to do or whatever his shortcomings may or may not have been, there were many, many superb things that Mr. Coll did as Chief of Police and we ought to incorporate those things and make it easier for Mr. Moore who stated today that he has a lot to do to learn on his job.

And I might point out, I hire a new administrative assistant, she could be the most brilliant person in the world, and I

think she is, but it takes time to learn and you learn by being there and having someone help you. And I think that is exactly the same situation we find ourselves in with Mr. Moore. Anything that we can get from Mr. Coll to help us would be beneficial.

Mr. Pollock:

If what the President said is legal and if we can do that — Are we getting a ruling that we can't do it?

The Chair:

We can do it. Trust me on this one.

Mr. Pollock:

Ben, you can do anything you want in this City, I know that.

I withdraw my motion.

Mr. O'Malley:

I withdraw my second.

Michelle Madoff:

My motion is to amend the bill to include that this consulting job would go only to former Superintendent of Police, Robert Coll.

Mr. Pollock seconded the motion.

Mr. Grabowski:

Discussion on the motion. If you will recall, the rules of Council state that no amendments shall be honored unless they're in writing, and I believe that's 24 hours before the meeting.

Mr. DePasquale:

Steve's right.

The Chair:

Wait a minute. We argued about the amendment and I'll tell you what it was, it was on the pay raise because we had to balance the budget. We are not talking about balancing the budget here.

Mr. Grabowski:

Mr. President, the rules do not state whether it's a budgetary item or not. The rules are specific; all legislation.

Mr. Pollock:

Mr. President, if I can respond, I think we're at the same place as we were before which says that it must be in writing before the vote on the bill. So, if we can recess —

The Chair:

No, I'm not going to do that this time.

Steve, I honor your request.

Mr. Perry, I'm sure that this Council can vote on a cover letter requesting that Mr. Coll be the consultant.

Mr. Perry:

Is that cover letter or legislation?

The Chair:

The cover letter.

Mr. Perry:

The cover letter won't mean anything.

The Chair:

I understand that.

Michelle Madoff:

I want it to mean something.

Mr. DePasquale:

Mr. President, before this thing becomes moot, let's check and find out, is Mr. Coll on pension or has he applied for pension?

The Chair:

No, not yet.

Mr. DePasquale:

Well, I think you're all aware that you cannot receive a pension from the City of Pittsburgh and still work for the City of Pittsburgh. In effect, a consultant will be working for the City of Pittsburgh, for the Police Department.

Now we say that Mr. Coll has resigned and did not apply for his pension and now is coming back on the City payroll as a consultant.

The Chair:

He hasn't applied for his pension, that I know of.

Mr. DePasquale:

Okay, then he can come back as a consultant. But if he's going to be drawing his pension, he cannot be a consultant to the City of Pittsburgh any more than I could have come back and kept my pension as a City Councilman.

The Chair:

Right.

Michelle Madoff:

If there is a problem in amending the bill because we're going to stand on protocol which has always been used against the one person on this Council who is female and is outspoken, and that's when I make a motion to amend a bill it, "Oh no, we have to have it in writing for 24 hours". I've never understood that. In all the years we've been here, not to keep us handling the same bill 90 times over and over again, someone makes a motion to amend, we second it, we're dealing with the business of the day and that's the way it should be. And if that is not the way it should be then I will challenge the Chair on the issue of having to put this particular item in motion, that we get enough people to overrule then we can go ahead and put it on. So, if there is a will to put it on today we can do that. It's a matter, if necessary, of challenging the Chair and getting the majority of the votes to say let's put it on today. That is the legal way around that issue.

Mr. Pollock:

I really don't think that the future of the civilized world as we know it today hinges on whether we vote on this today or next Monday and I'd be content to allow it to wait for another week until we can have the proper legislation before us, as Mr. Grabowski pointed out, as far as the rules go.

But I do want to clear something up because I think that Mr. DePasquale did represent something inaccurately. I think that Mr. Coll, by becoming a consultant, does not go on the City payroll and that he would be permitted to receive his pension and still be a

consultant to the City. I think the preclusion about receiving a pension and being on the City payroll is different than somebody receiving a pension and being a contractor to or for the City.

The Chair:

To simplify this, and please, let's do this because we keep saying the person's name over and over again, make a motion again to recommit --

Michelle Madoff:

I have a motion on the floor and I have a second.

The Chair:

No. I had to rule that out of order and just so we go by Council rules we all agreed that we're going to try to stick by the rules of Council as written and I agree with you but, like you said, one week isn't going to hurt anything and we can amend it at Wednesday's meeting. Let's recommit it until Wednesday afternoon's meeting.

Okay, it's been moved and seconded.

Mr. Wagner:

Mr. President, what is the motion on the floor?

The Chair:

To recommit.

Mr. Wagner:

I haven't heard that motion.

The Chair:

Mr. Pollock did and Mr. O'Malley seconded it.

Mr. Wagner:

Mr. President and members of Council, as Chairman of Public Safety, I strongly suggest that we vote on this piece of legislation. This piece of legislation is a consultant contract. I don't believe with or without an amendment we should be determining whether or not this piece of legislation is necessary. It should be willing to stand purely on its own; if we need a consultant, we move forward to obtain a consultant. For that reason, I would like to see this Council move forward on it today.

As you all are aware, we have a \$90,000 consultant contract in existence right now within the Police Bureau. Do we want another consultant contract within the Police Bureau? We funded that Bureau to the tune of over a million dollars in terms of additional staffing with the creation of a new Public Safety Department. Now, how far are we going to go?

I also attended the news conference this morning with the promotion of Mr. Bill Moore to Police Chief. Mr. Moore clearly indicated at the news conference that he will rely on his staff in the transitional period. True, he did indicate that he spoke with Mr. Coll also but he indicated that he would rely on his staff, his immediate inspectors, commanders, assistant chiefs, etc.

I would like to see us, Mr. President, vote on this piece of legislation today. If someone wants to make an amendment, there's no reason in the world why that amendment cannot be put in writing in a matter of two or three minutes and vote the legislation up or down.

The Chair:

Well, I'd like to vote on it also, Mr. Wagner. We're not going to put it in writing five minutes before we're going to vote on that subject. We're going to go by Council rules which says 24 hours and that's what we're going to do.

Michelle Madoff:

Mr. President, I think what has happened here today has very clearly focused the need to really go back to why Council rules were the way they were for many, many years in certain procedures where they function very well.

If a body is going to handle something over and over and over again, we're ineffective, we're inefficient. I don't want to go into detail, but just to quickly summarize, if you've got an additional million dollars invested in the Police Department, all the more reason why we should have the best person give us the consulting in an orderly transition period.

We have different rules for different people on this Council. I think the rules should be what is expedient in being good government. If we have a bill where you need a small amendment, we're going back to an original bill where something was taken out and put back in, it shouldn't be because of the person making the motion, it should be because it's the orderly way to do business. I don't think it's efficient and orderly and I agree with my colleague, Mr. Wagner, to go back and put this bill of again and again and again because we're not running a tight ship or an efficient ship doing that. We shouldn't have to deal with this bill again; there are other important things we have to deal with. I, for one, would support, if necessary, doing it in the orderly fashion of

challenging, because you're in the bind of having to say alright, if it's 24 hours, it's 24 hours, and I can challenge, that's legal, the Chair, and we vote to override in this instance and we go with the bill today and we resolve it. Or we sit in our own meetings and change that rule that we can amend bills under certain conditions.

The Chair:

But the thing is, we all knew who we wanted there, it was discussed, we should have changed it at the table.

Michelle Madoff:

I didn't change it.

The Chair:

No one did, that's my problem. We all assumed and I would still go on that assumption, I didn't read the article.

There's a motion on the floor and it has been seconded. On recommittal, I would suggest, like Mr. Wagner, that we don't recommit it, only he wants it voted down after that. I want it voted up because I know, I'm pretty sure and I think we all know who is going to get that contract.

Roll call vote on the recommittal for one week.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. O'Malley
Michelle Madoff	Mr. Pollock

AYES 4 NOES 5

VOTING NO:

Mr. DePasquale	Mr. Wagner
Mr. Givens	Mr. Woods
Mrs. Masloff	(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

Now, on the bill as written, roll call vote.

Michelle Madoff:

Do you want to explain that, please, to everybody?

The Chair:

If you're in favor, you're voting on the bill, if you're in favor of this consultant bill you vote yes.

Mr. Pollock:

I have a comment on the bill itself.

The Chair:

I'm sorry, Mr. Pollock. I thought that you did that in the beginning, you had your remarks brought forward and then —

Mr. Pollock:

Well all my remarks were preparatory to my — I want to make sure, this is very important and I hope I can have my colleagues' attention, that if we

vote this legislation up without any amendments, we're losing the right to designate who receives it, it's going to be out of our hands who can be this consultant, and a \$26,000 contract is floating around for someone else to fill with whoever he or she may choose to fill it. Think about that when you vote.

The Chair:

I ask my colleagues to vote aye for this bill because I think we all know who is going to get that contract. Call the roll.

Mr. DePasquale:

Aren't we under discussion?

The Chair:

We're finished. We're ready to vote now.

Mr. DePasquale:

We haven't had discussion yet.

The Chair:

Yes we did. Do you want to add something else?

Mr. DePasquale:

I want to discuss it, yes. I want to know why some of my colleagues continue to say that the only way we'll pass this bill is if Coll gets the money. What are we giving him, some kind of bonus or reward or what? Why does it have to be Coll or else the bill doesn't sail? I'm a little curious. What's it all about? Can anybody tell me? Why do we have to give Coll \$26,000 and nobody else gets it?

Michelle Madoff:

I think I speak for those of us, like yourself, Mr. Woods, who feel that there would be advantages, and I'm repeating myself, obviously; being female, sometimes members of Council who are not of the same sex don't listen. My understanding is that Mr. Coll has been a very good director who is gone but he has valuable information that would be very helpful to Mr. Moore in an orderly transition. This happens in all businesses, it happens in government. Frequently two people are paid for the same job during the transition period, and we have, as my colleagues pointed out, millions of dollars invested in this new department, we have a \$90,000 study. To do anything to make this a better department, to get whatever knowledge we can get from Mr. Coll for a mere \$26,000 in a \$180 million budget would be a good investment.

I for one would like to put the name of Mr. Coll back in. It was taken out against my wishes when we discussed it earlier. I lost that battle. Now we're all willing, those of us who want the bill to go through, to put it in but because it wasn't done in 24 hours in writing, we're talking about recommittal and recommittal has failed, which means, indeed, if we vote for it that bill can be filled by anyone but I'm being told privately that indeed this won't go to anyone but Mr. Coll.

So, those of us who want to support the transition and the knowledge that has been acquired over all these years, from Mr. Coll to Mr. Moore, are in the awkward position of having to devote a pig in a poke, as Mr. Pollock has said, to vote for anybody with this contract floating around without being specific. We can do what Mr. Wagner said and we can attach a bill that it is our wish and it is our understanding that it would be Mr.

Coll but that still means there's a \$26,000 contract floating around that can go to anyone and I don't know how to vote on that. I have a real problem with it and I suggest we recommit it then for one week.

Mr. Pollock:

The vote failed on the recommitment.

Mr. Wagner:

Mr. Woods, may I have one final comment? Mr. Woods and members of Council, as I indicated at last Wednesday's meeting, I have researched this particular piece of legislation, not only within the Police Bureau but also with the individual former chief that has been suggested as being the recipient of the contract. It is to my knowledge that this individual does not want this contract, has never sought this contract.

This piece of legislation was introduced at the Mayor's Conference Meeting. It was unnecessary, due to a duplication of consultant contracts that exist that I have indicated earlier.

The bottom line here is, we're dealing with \$26,000 of taxpayer money. Should we spend \$26,000 of taxpayers' money if there's no need to spend it? That's the issue. That and that alone. And, as I've indicated earlier, for various reasons, we do not need to spend \$26,000 in taxpayer money.

Many of you have talked about consultant contracts in the past, the fact that we need some and we don't need some. And I would simply ask all of you to look at it in that vein. Do we need this consultant contract? And if we do, vote for it; if we don't, vote against it. I strongly recommend we vote against it.

Michelle Madoff:

Point of order. Clarification. If we vote for this bill, there's no guarantee that it will go to Mr. Coll, is that correct?

The Chair:

That's exactly right.

Michelle Madoff:

And if we don't vote for it we're keeping him from getting it because I believe that we should use —

The Chair:

What is your point?

Michelle Madoff:

We're in a catch-22, that's my point. How do you vote?

The Chair:

That's not a point of order. Call the role.

Mr. Givens:

I'd like my remarks brought up from last Wednesday.

(BEGINNING - MR. GIVENS' REMARKS ON BILL NO. 602 - WEDNESDAY, 4/16/86)

Mr. Givens:

Mr. Chairman, I have been very close to the Public Safety issue since I have been a Councilman for some 11 years, and the Public Safety Department has been created, and I really want to see that thing move forward as quickly as possible right now.

The fact that we are talking about the Office of Professional Responsibility, that is a key administrative position and one that should be filled by a police officer. All of us in the City always criticize the Director in some cases when we don't hire from within or somebody from the City of Pittsburgh. We're talking about pre-employment in an area that has been dear to all of our hearts, on the quality of the police officers the City of Pittsburgh is going to hire. We need to get into the 20th Century, and we need to get a model and start acting on that model so we can get the finest police officers this City population can get us.

On the other side, we are talking about evaluation and investigation, another extremely sensitive area to the Director here and who is going to handle that particular internal procedure. If anything, John Norton came in here and was hit with a brand new organization that probably would take several years in any department to build up to that speed. I'm asking that it be built up as quickly as possible.

I'm supporting this bill, 602. In fact, we are getting the best expertise tha we can get; a person who on his own accord, apparently, has retired from the City of Pittsburgh after serving this City for many, many years. And now, exactly the type of work that someone in his capacity wants to do. He wants to be a consultant for and he wants to be able to do certain things. And this is a very sensitive area, and I think if it is Bob Coll who in fact gets this particular contract, I think he's gong to be able to move into that and bring this office up to speed in the most expeditious way possible. For that reason, and that reason only, I want to vote for this particular thing and please don't delay it because it's going to delay the professionalism of the City of

Pittsburgh.

(END OF REMARKS)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 6 NOES 3

(MR. GRABOWSKI, MR. POLLOCK AND MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 697

Report of the Committee on Engineering and Construction for April 16, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 581

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or

Consultants for Design and Construction Inspection Services in connection with Reconstruction of Arlington Avenue from East Carson Street to East Warrington Avenue; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Grabowski presents

No. 698 WHEREAS, the Polish National Alliance of the United States is holding their 40th National Bowling Tournament in Pittsburgh on Saturday, April 26, 1986, at the Noble Manor Lanes and Bowling City; and,

WHEREAS, over 1,200 men and women from various states throughout our nation will be in Pittsburgh this week to compete in this Tournament, renew friendships; and,

WHEREAS, Pittsburghers will host luncheons, open houses, and other hospitable gatherings to welcome these Polish-American bowlers and their families to the Most Liveable City in America; and,

WHEREAS, the distinguished Aloysius A. Mazewski, President of both the Polish National Alliance and the Polish American Congress for the past several years, will be in Pittsburgh to lead this celebration of Polish heritage, comradery, and athletic competition;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh proclaim the week of April 20 - 26, 1986 as "PNA Bowling Week" in the City of Pittsburgh to recognize and welcome the several hundred Polish-Americans from throughout the United States who are participating in this festive occasion.

Mr. Grabowski moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mrs. Masloff and Mr. O'Malley present

No. 700 WHEREAS, the City of Pittsburgh has recently developed as a mecca for road racing as evidenced by its Great Race, the Pittsburgh Marathon, numerous 10 kilometer races in our neighborhoods, and a NCAA Division III Cross Country Championship Team at Carnegie-Mellon University; and

WHEREAS, the City of Pittsburgh contributes \$350,000.00 in direct and indirect support for the Pittsburgh Marathon; and

WHEREAS, the citizens of the City of Pittsburgh, in response to a world-

class sporting event conducted in their neighborhoods, have organized numerous hospitable events including pre-race pasta dinners, dances, food fesitvals, a children's marathon, and many other community activities; and

WHEREAS, Pittsburgh special topography and picturesque rivers present a unique visual backdrop for a major road racing event; and

WHEREAS, Pittsburgh's business community led by United States Steel, in the successful tradition of public-private partnerships responsible for so much of Pittsburgh's growth and success, has underwritten our marathon and helped make the event part of Pittsburgh's charm; and

WHEREAS, the Pittsburgh Marathon is conducted entirely within the same neighborhoods which make Pittsburgh America's Most Liveable City;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby request that the Men's Long Distance Running Committee of the Athletics Congress select Pittsburgh as the site of the 1988 Men's Olympic Marathon Trails; and

BE IT FURTHER RESOLVED, that the Committee be invited to visit our City to witness our 1986 Marathon and share our pride and enthusiasm for one of Pittsburgh's most exciting civic events.

Mr. O'Malley moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

The Chair:

I have an appointment of a member

to a committee, Mr. Pollock to the Neighborhood Fund Board.

Mr. Pollock:

Thank you.

Michelle Madoff:

While we're on that subject, when you're appointed to a board, aren't you sworn in to the board at some point?

The Chair:

No.

Michelle Madoff:

I was appointed to the Leasing Authority and I understand you're supposed to be sworn in to that committee. My term runs out at the end of December of this year and since it's been eight years and this is my first appointment I would urge the President of this Council to find out whether that was really an appointment or whether that was just some kind of magic trick.

I also would like to ask another question. In the event that Mr. Coll, his services obviously are going to be needed as soon as Mr. Moore takes over which is imminently, like today, say within a month, if that contract is not in the works to Mr. Coll, can we then line item that or somehow -- What can we do to transfer that money to another account? Could it be transfered to another account for something else?

The Chair:

No.

Michelle Madoff:

It has to sit there all year unused, become surplus. Who is to say that that

money can't be requisitioned for some other needy service? We do it all the time, we transfer money from one account to another.

The Chair:

It's a bill now that's there for two years or to the end of this reorganization period.

Michelle Madoff:

But don't we ever take money out of one account to another, when it isn't being used?

The Chair:

Many times.

Michelle Madoff:

Well then it's very conceivable that if that contract is not filled by Superintendent Coll some other need that might be in the City, that we could say yes, take it from that money and indeed that would take care of the problem. You just told me yes, you can do it and now you're saying no, you can't do it.

The Chair:

We have no choice; that's Public Safety money. That's where that's coming from.

Michelle Madoff:

But I'm sure there are other needs in the Public Safety Department that could use the money.

The Chair:

Right and they're budgeted that money. If they find another use for it and don't want to use it, I'm sure they

could use it.

Michelle Madoff:

Fine. So the Public Safety Director, if that job is not filled by Superintendent Coll, has the right to come back to this Council and say, we have a need for racks on the bridges to save people or a canoe, and he can say let's take the money of that account, because it wasn't Coll, it wasn't used, we want to transfer that money out. I just wanted to get that clear.

Mr. Wagner:

Just to follow up on my colleague, I think she's bringing up an excellent point. If the dollars are not used by the City, I believe we could amend the legislation and apply it to another type of consultant in the area of the Police Bureau and Public Safety. One of the areas we could possibly do that is the Narcotics Task Force, to address the number one crime problem in this City. So, I think it's important that we stay on top of that and see if the dollars are utilized.

Mr. Pollock:

On another subject, and it's come up earlier today and several times in the past. I would ask the President to appoint, if he and the other members of this body are so willing, a sub-committee to examine our Council rules to see if there might be amendments to them. It's been over eight years since they've been adopted. I would think that Mr. Grabowski should definitely be on that committee, I would love to serve on that committee, and I think it's time that we do look at them to see which ones are outdated, which ones can be changed and so forth.

Mr. O'Malley seconded the motion.

The Chair:

I'll look into it.

Michelle Madoff:

You'll look into what? Whether you're going to appoint a committee?

The Chair:

Yes.

Michelle Madoff:

Could we do that as an official motion and have Council move on it?

The Chair:

The Chair has the prerogative to appoint committees.

Mr. Pollock:

I would like to be on that committee if you do.

Michelle Madoff:

And I would just like to make recommendations.

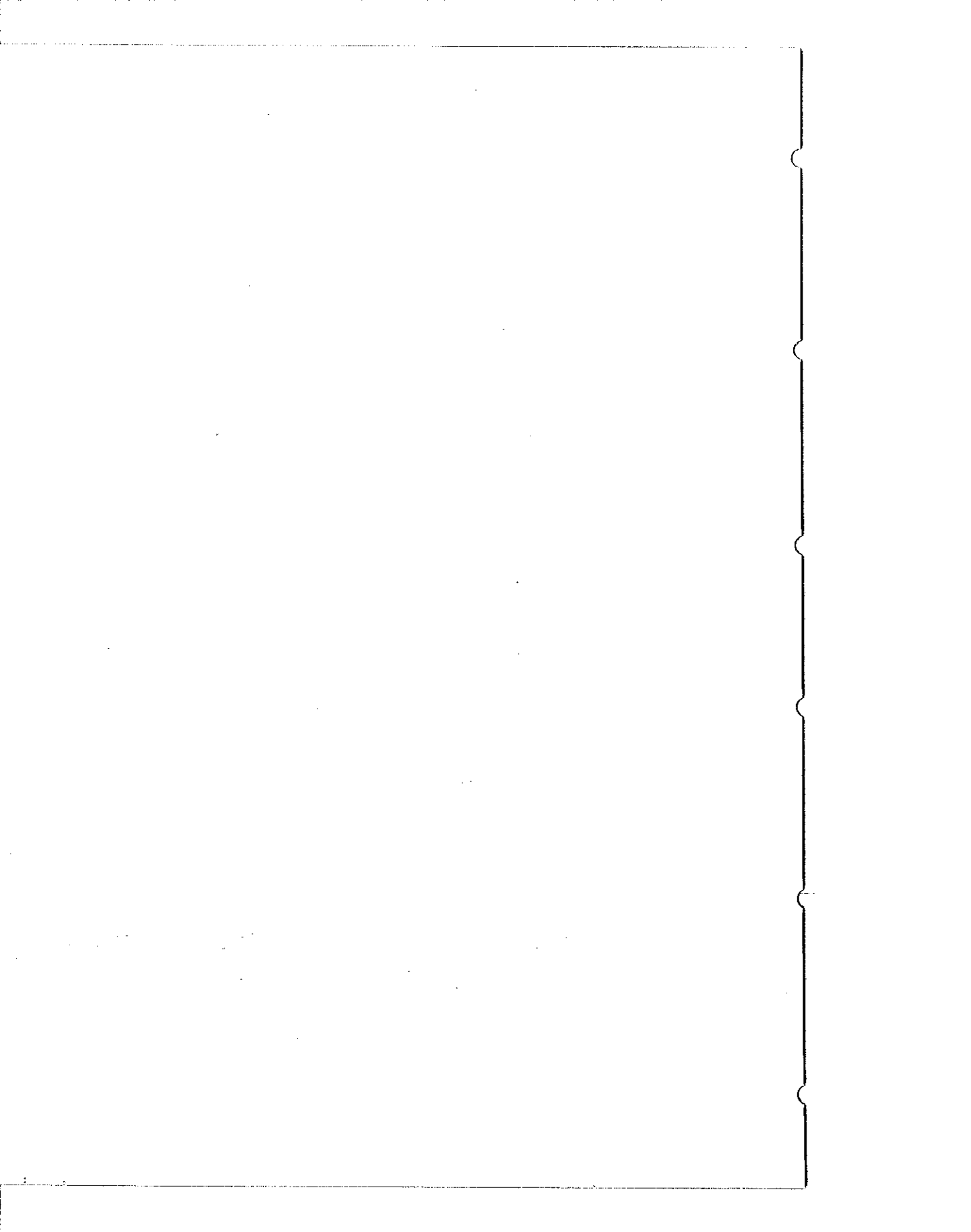
Mr. DePasquale moved to approve the Minutes of Monday, March 10, 1986.

Mr. O'Malley seconded the motion.

Which motion prevailed.

And on the motion of **Mr. DePasquale**

Council adjourned.



Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXXI Monday, April 28, 1986

No. 17

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, April 28, 1986

PRESENT:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods (Pres't)

ABSENT:

Mr. O'Malley

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. DePasquale presented

No. 701 Resolution providing for a Contract or Contracts or use of existing Contracts for the Fabrication and Erection of a Modular Office/Maintenance Building for the Department of Public Works' Asphalt Plant at a cost not to exceed \$115,500.00, chargeable to and payable from Code Account EC 86-30.

Which was read and referred to the Committee on Engineering and Construction.

Mr. DePasquale moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 702 Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company (Charles DiNardo, Vice President) in the amount of \$42,473.43 in payment of Extra Work, being in addition to the original contract price of \$208,292.50 on Controller's Contract No. 27831, furnished for the benefit of the City in connection with the Penn Avenue 20" Cement Lining Project, payable from Code Account PW 83-17.

Which was read and referred to the Committee on Finance.

Also,

No. 703 Resolution amending the Title and Section 1, 2, and 3 of Resolution No. 123, approved February 19, 1986 effective February 24, 1986, entitled: "Permission to enter into an Agreement or Agreements with Calvary Cemetery Relating to the Construction and Maintenance of a Traffic Signal on Cemetery Property Along Browns Hill Road in the 15th Ward, City of Pittsburgh, by adding the representative of Allegheny County as a party to the Agreement.

Also,

No. 704 Resolution amending Res. No. 736, effective September 6, 1983, entitled: "Providing for an Agreement or Agreements with GeoMechanics, Inc. for Engineering Services in connection with the Design of the Rehabilitation of the Monongahela Incline Support Wall; and providing for the payment of the cost thereof," by providing for a Supplemental Agreement or Agreements and by increasing the total project allocation from \$10,000.00 to \$18,000.00, chargeable to and payable from Code Account PW 83-32.

Also,

No. 705 Resolution providing for a Contract or Contracts for Sidewalk Construction and Reconstruction at various locations in the Spring Garden Neighborhood, including work on private property and other work incidental thereto, at a cost not to exceed \$50,000.00, chargeable to and payable from the 1985 Community Development Block Grant, "Unspecified Local Options" (CC-85-01).

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 706 Resolution providing for the Repeal of Resolution No. 298 approved April 11, 1986, effective April 16, 1986 entitled: "Vacation of Congress Street from Fifth Avenue to its Northwesterly Terminus (170+ or), in the 3rd Ward, City of Pittsburgh," is hereby repealed.

Which was read and referred to the Committee on Public Works.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Also,

No. 707 Resolution providing for the issuance of a warrant in favor of Astec Industries, Inc. in the amount of \$2,599.00 in payment for the repair and recalibration of one (1) Brodie Stack that is used in conjunction with an AD500 computer and the repair to one (1) Load Cell; both repairs needed for the daily operation of the Asphalt Plant Division of the Department of Public Works, chargeable to and payable from Code Account PW 86-01, City Wide Resurfacing.

Which was read and referred to the Committee on Finance.

Also,

No. 708 Resolution granting unto Haagen-Daz Ice Cream Shoppe, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a Sidewalk Cafe in a portion of the sidewalk of Bellefonte Street in the 7th Ward, City of Pittsburgh.

Also,

No. 709 Resolution granting unto Construction Tool Service, Inc., their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Raised Planted Area and Steps on a portion of the sidewalk of 3500 Liberty Avenue in the 6th Ward of the City of Pittsburgh.

Also,

No. 710 Communication from James N. Walker, Director, Department of Environmental Services, requesting authorization for Mildred Durham and Julie Osekowski to attend the Professional Development for the Senior-Level Secretary Seminar at the Pittsburgh Airport Sheraton on June 11, 1986, at a cost not to exceed \$225.00, payable from Code Account No. 1176.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 711 Communication from George Jacoby, Director, Department of General Services, requesting authorization for Robin Smith and John Davis to attend the Vehicle Maintenance Facilities Management Workshop in Indianapolis, Indiana from May 11-14, 1986, at a cost not to exceed \$2,000.00, payable from Code Account No. 1128, Miscellaneous Services.

Which was read and referred to the Committee on General Services.

Mrs. Masloff presented

No. 712 Resolution providing for a Contract or Contracts for the use of existing Contracts for the repair of various facilities within the Department of Parks and Recreation at a cost not to exceed \$60,000.00, chargeable to and payable from Code Account PR 86-05, Repairs to Parks and Facilities, in the Department of Parks and Recreation.

Also,

No. 713 Resolution providing for authorization to enter into an Agreement or Agreements with Bedford Springs Festival Orchestra for the July 4th Evening Musical Presentation in conjunction with the Department of Parks and Recreation, Special Events & Cultural Affairs Summer Programs at a cost not to exceed \$9,000.00, chargeable to and payable from Code Account 1837, City Wide Events, in the Department of Parks and Recreation.

Also,

No. 714 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Carol Glick to attend the 9th Meeting of the American Society of Primatologists in Austin, Texas from June 28th thru July 2, 1986, at a cost not to exceed \$1,126.00, payable from Code Account No. 1852, Miscellaneous Services.

Also,

No. 715 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Herbert Ellerbrock, Zoo Keeper, to attend the International Herpetological Symposium on Captive

Propagation and Husbandry in San Antonio, Texas, from June 25-28, 1986, at a cost not to exceed \$400.00, payable from Code Account No. 1852, Miscellaneous Services.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Pollock for Mr. O'Malley presented

No. 716 Resolution amending Res. No. 209 of 1985 which authorized the Mayor and the Director of the Department of Finance to enter into an Agreement or Agreements with a professional services consultant to conduct a performance audit of the City Controller's Office, by increasing the total authorization from \$50,000.00 to \$60,000.00, chargeable to and payable from Code Account 1063, Miscellaneous Services, Department of Finance.

Which was read and referred to the Committee on Finance.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 717 Resolution providing for the issuance of a \$3,000.00 warrant in favor of Stanley & Maudine Drummond in settlement of claim for property damage loss at 199 Shetland Avenue, payable from Code Account No. 46, Judgments.

Also,

No. 718 Resolution authorizing the City Controller to enter into a Contract or Contracts, or for the use of existing Contracts, to purchase additional memory & accessories for the existing Honeywell Computer at a cost not to exceed \$45,000.00, chargeable to and payable from Code Account, CFMIS, Controller's Financial Management Information System.

Also,

No. 719 Resolution Repealing Res. No. 216, approved March 18, 1986, effective March 21, 1986, entitled: "Authorizing and directing the Director of the Department of Finance and the City Controller to establish a Trust Fund to be known as the Business Development Trust Fund (BDTF); and authorizing the deposit of funds for economic development from the repayment of funds advanced by the City of Pittsburgh to the Stadium Authority of the City of Pittsburgh."

Also,

No. 720 Resolution Repealing Res. No. 217, approved March 18, 1986, effective March 21, 1986, entitled: "Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to provide funds for the making of loans in connection with the Urban Redevelopment Authority's Business Reinvestment Fund in the amount of \$20,000,000.00, payable from the Business Development Trust Fund," is hereby repealed in its entirety.

Also,

No. 721 Resolution authorizing the City of Pittsburgh to enter into an Agreement or Agreements with The Ruhlin Company, Northshore Associates and the Urban Redevelopment Authority

of Pittsburgh, whereby the City shall grant to The Ruhlin Company the rights of entry upon, use & access across certain riverfront property in the 22nd Ward, designated as Block 8-J, Part Lot 98, for the purpose of installing, an underground drainpipe as part of the North Shore Expressway Project, at no cost to the City.

Also,

No. 722 Resolution authorizing the Mayor and the Director of the Finance Department, on behalf of the City of Pittsburgh, County of Allegheny and School District of Pittsburgh to transfer its rights, title and interest, if any, for certain Three Taxing Bodies' properties in the 24th and 26th Wards of the City of Pittsburgh to Pennsylvania Department of Transportation. Deeds to be in Quit Claim form for a total consideration of \$14,510.00.

Also,

No. 723 Communication from Dante Pellegrini, City Solicitor, requesting permission for himself to attend a meeting of the Executive Committee of the National Institute of Municipal Law Officers in Dallas, Texas on June 16-17, 1986, at a cost not to exceed \$300.00, payable from Code Account No. 1075, Miscellaneous Services, Department of Law.

Also,

No. 724 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Rose Nagy to attend the 1986 International Personnel Management Association Eastern Region Conference in Albany, New York from June 1-4, 1986, at a cost not to exceed \$950.00, payable from Code Account No. 1100, Miscellaneous Services, Department of

Personnel. (PRIOR APPROVAL GRANTED).

Also,

No. 725 Communication from Ronald C. Schmeiser, Director, Department of Finance, requesting authorization for himself to attend a subcommittee meeting on tax policy of the Committee on Governmental Finance Officers Association, to be held in Washington, D.C., May 12, 1986, at a cost not to exceed \$250.00, payable from Code Account No. 1063, Miscellaneous Services, Department of Finance.

Also,

No. 726 Communication from Edward F. Dougherty, Director of Finance, Public Parking Authority of Pittsburgh, submitting the annual personnel list of 1986.

Also,

No. 727 Communication from Tom Flaherty, City Controller, submitting a performance audit of the Street and Sewer Maintenance Division (SSM) of the Department of Public Works, April 1986.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 728 Resolution approving a Conditional Use Exception under Section 993.01(a)A(20) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, to Ellis School for authorization to enlarge the campus and construct a two-story and basement building; building at 6407 FIFTH AVENUE as school offices. The property is located on the northerly side of FIFTH AVENUE abutting MELLON PARK, 7th Ward.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 729 Resolution approving a Conditional Use Exception under Section 993.01(a)(26) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for authorization to the Rehabilitation Institute to expand into five (5) residential structures located at the corner of WILKINS and DENNISTON AVENUES for related office space with seventeen (17) parking stalls, 14th Ward.

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 730 Resolution providing for the issuance of a warrant in favor of Seymour Graphics, 704 Second Avenue, Pittsburgh, PA 15219 in the amount of \$1,717.00 in payment for "additional pages to the 1979-84 Progress in the Neighborhood Report Books" furnished for the benefit of the City, chargeable to and payable from the 1983 Community Development Block Grant Program, Department of City Planning, "Citizen Participation & Technical Assistance" (CP 83-02).

Which was read and referred to the Committee on Finance.

Also,

No. 731 Resolution amending Res. No. 806, effective August 23, 1985, entitled: "Providing for an Agreement or Agreements with the Washington Heights Athletic Association for the City's share in the construction of a facility to be used for the organization's programs, at a cost not to exceed \$10,800.00," by changing the source of funds from chargeable to and payable from the 1985 Community Development Block Grant Program, "Unspecified Local Options", (CC-85-01) to Code Account 1103, Miscellaneous Services, in the Department of City Planning.
—(SPONSORED BY MR. POLLOCK)

Also,

No. 732 Resolution amending Res. No. 789, effective August 23, 1985, which presently reads: "Providing for an Agreement or Agreements with the Hazelwood/Glenwood/Glen Hazel Council, Inc. for the rehabilitation of a vacant public building located on Second Avenue for use as a Senior Citizens Center," so as to increase the project allocation from \$100,000.00 to \$280,000.00 and include the Department of Engineering and Construction.

Also,

No. 733 Resolution amending Res. No. 795, effective August 23, 1985 entitled: "Providing for an Agreement or Agreements with the Spring Garden Neighborhood Council and/or the Esplan Citizen's Council for capital assistance improvement programs, at a cost not to exceed \$100,000.00, so as to remove the Spring Garden Neighborhood Council and reduce the appropriation from \$100,000.00 to \$50,000.00, chargeable to and payable from the 1985 Community Development Block Grant Program, "Unspecified Local Options" (CC-85-01).

Also,

No. 734 Resolution providing for a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the Administration of the Brighton on the Park Housing Development Grant Project and further providing for the execution of an Owner-Grantee Agreement for the Project and further providing for the receipt by the Authority of \$2,399,558.00 directly from the United States Department of Housing and Urban Development for the Project. The development involves the construction of a structure to provide 101 rental units of which 27 shall be for low/moderate income individuals. This development has been approved by HUD, and is located at Brighton Avenue and Western Avenue in the Allegheny West neighborhood of the City.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 735 Resolution providing for the issuance of a warrant in favor of Air & Power Service Company, 972 Mercer Road, Butler, PA 16001, in the amount of \$362.40 in payment for repair of Air Conditioner in the Computer Room furnished for the benefit of the City in connection with the Department of Public Safety, Bureau of Police, Identification Section, chargeable to and payable from Code Account CCIISP, Department of Public Safety, Bureau of Police.

Which was read and referred to the Committee on Finance.

Also,

No. 736 Resolution providing for a Contract or Contract from time to time

in connection with the demolition and removal of condemned buildings at a cost not to exceed \$400,000.00, chargeable to and payable from Code Account Capital Project Funds, FD 86-01 Demolition and/or Sealing of Condemned Buildings, Including Site Restoration and Boarding and Party Walls.

Also,

No. 737 Communication from John Norton, Director, Department of Public Safety, amending Bill No. 648, in Council April 14, 1986, by replacing the name of John Moran with Michael McGee to attend a Results Management '86 Seminar on April 29-30, 1986, Pittsburgh, PA, at a cost not to exceed \$800.00, payable from Code Account SPSTPP.

Also,

No. 738 Communication from John Norton, Director, Department of Public Safety, requesting authorization for 36 members of the Bureau of Fire to attend the State Fire Academy in Lewistown, Pennsylvania from April 27-29, 1986, at a cost not to exceed \$4,900.00, payable from DPSTPP. Permission is also requested for use of a City vehicle.

Also,

No. 739 Communication from John Norton, Director, Department of Public Safety, requesting authorization for ten (10) employees to attend a Teleprofessionalism Workshop for Communication Clerks in Pittsburgh, PA on April 25, 1986, at a cost not to exceed \$1,000.00, payable from Code Account DPSTPP. (PRIOR APPROVAL GRANTED)

Also,

No. 740 Communication from John Norton, Director, Department of Public

Safety, requesting authorization for Police Officer Dennis Herr to attend the 14th Annual In-Service Training Conference of the International Association of Bomb Technicians and Investigators in Philadelphia, PA from May 25-30, 1986, at a cost not to exceed \$900.00, payable from Code Account DPSTPP.

Which were severally read and referred to the Committee on Public Safety.

The Chair presented

No. 741 Petition from the residents of the City of Pittsburgh, requesting a public hearing before City Council concerning the proposed Ellis School Conditional Use Application No. 557, and supporting the Larkin family in this matter. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Pollock seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Wagner for Mr. O'Malley presented

Bill No. 742

Report of the Committee on Finance for April 23, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 614

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Metz and Lautner (George Lautner, Partner) in the amount of \$5,527.01 in payment of Extra Work, being in addition to the original contract price of \$32,170.00 on Controller's Contract No. 27218, furnished for the benefit of the City in connection with the Rehabilitation of Fire Stations No. 16, 36, and 7; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 6 NOES none

(MICHELLE MADOFF ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 6152

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sargent Electric Company in the amount of \$260.00 in payment of Extra Work, being in addition to the original contract price of \$81,632.00 on Controller's Contract No. 27720, furnished for the benefit of the City in connection with the Building Electrical, Pittsburgh Zoo - Phase 4.1: Plaza; and providing for the payment thereof."

Which was read.

Also,

Bill No. 620

A Resolution entitled, "Resolution providing for the issuance of a warrant, without previous authority of law, in the amount of \$11,475.00 in favor of Motorola Communications & Electronics, Inc. for payment for the moving of command consoles and related equipment at Medic Command, due to time constraints imposed by Presbyterian Hospital. Funds are available in Code Account 1132-5, Index Code 1132-58, Radio Improvements, Department of General Services."

Which was read.

Also,

Bill No. 625

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of ABCO Fire Protection, Inc., in the amount of \$627.73 in payment for the servicing and inspection of fire extinguishers furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mr. Pollock
Mr. Givens Mr. Wagner
Michelle Madoff Mr. Woods
Mrs. Masloff (Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 633

A Resolution entitled, "Resolution further amending Resolution No. 733 of 1983 as amended by Resolution No. 548 of 1985 and Resolution No. 1201 of 1985 entitled: 'Providing for an Agreement or Agreements, with various Private for Profit and Non-Profit entities to provide employment opportunities for low and moderate income City residents in connection with the 1983 CDBG Emergency Jobs Bill Program and providing for payment of the costs thereof,' by providing for the reprogramming of unspent funds by reducing the amount available for administrative costs by \$23,200.00 and by reducing the amount available for subcontracts by \$113,600.00 and by increasing the amount available for participant wages and fringes by \$136,800.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 634

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$76,000.00 in full settlement of a claim for personal injuries to Diane Verdeal Tench, deceased with plaintiff, and providing for the payment thereof."

Which was read.

Mr. Givens:

Mr. President, on Bill No. 634, within 30 days we're supposed to get a letter from the Legal Department and I'd like that so to be noted by our Council staff and be looking forward to it.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 635

A Resolution entitled, "Resolution providing for a Professional Services Agreement or Agreements for the provision of automating the Maintenance Management System in the Department of Parks and Recreation at a cost not to exceed twenty thousand and five hundred dollars (\$20,500.00) for the Bureau of Information Systems, City Information Systems, Department of Mayor, Code Account 1043, Index Code 104307, Miscellaneous Services and for the payment of the costs thereof."

Which was read.

Also,

Bill No. 636

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of property, acquired at tax sales in accordance with Act No. 514 of 1947, as amended. Properties are in various wards of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 743

Report of the Committee on Public Works for April 23, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 617

A Resolution entitled, "Resolution providing for authorization to advertise for, award and enter into Contracts or use of existing Contracts for the purchase, lease and/or installation, etc. of equipment, services, materials and supplies for the development of the City of Pittsburgh's Municipal Services Cable Channel 15 and the Bureau of Cable

Communications TV Production Facilities at a cost not to exceed \$182,000.00."

Which was read.

Also,

Bill No. 618

A Resolution entitled, "Resolution amending Resolution No. 602, effective July 20, 1984, entitled: 'Providing for a Reimbursement Agreement or Agreements with the County of Allegheny in connection with the renovation of elevator 'K' in the City-County Building; and providing for the payment of the cost thereof', by changing the renovation from Elevator 'K' to Elevator 'G'."

Which was read.

Also,

Bill No. 671

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for furnishing, installing, removing and relocating certain electrical equipment necessary for the Street Lighting Department within the City of Pittsburgh, and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

Mr. President, can you help me? There was a bill that came up the other day on a course that was to be taken at Duquesne University and I had raised the question about going to Community College. I can't find the bill. Do you know where that is?

The Chair:

Once we pass it on Wednesday, that's the end of that.

Michelle Madoff:

That kind of bill doesn't come back here before us on Monday?

The Chair:

Okay, then I'll address it at the end of the meeting.

Michelle Madoff:

Okay, then I'll address it at the end of the meeting.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented
Bill No. 744
Report of the Committee on Planning, Housing and Development for April 23,

1986 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 316

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Maps No'd. 16 & 17 by changing: (A) From "M3" Light Industrial District to "S" Special District certain property bounded by: FINANCE STREET; NORTH BRADDOCK AVENUE, the PATWAY and NORTH HOMEWOOD AVENUE; and, (B) From "R3" and "R4" Multiple-Family Residence Districts; "C3" Commercial District; "M2" Limited Industrial District and "M3" Light Industrial District to "R2-T" Townhouse Residence District certain property generally bounded by: NORTH LANG AVENUE; HAMILTON AVENUE; NORTH BRADDOCK AVENUE and FINANCE STREET, 13th Ward."

Which was read.

Mr. Grabowski:

Mr. President, I think all members of Council have an amendment that I drafted to Bill 316 which is the zoning change before us in Homewood. The amendment is designed to safeguard the rights of one business in that area and I would ask that all Council consider this affirmatively.

The Chair:

Are you putting that in the form of a motion?

Mr. Grabowski:

Yes Mr. President.

The Chair:

Is there a second?

Mrs. Masloff seconded the motion.

The Chair:

Discussion on the amendment.

Mr. DePasquale:

Mr. President, last week and over the weekend I received a lot of calls from people in that Homewood area where the rezoning is planned and I haven't received one where they want that amendment or any change in the original plan. It strikes me that we're trying to favor just one party down there and to do that we're going to delete two blocks from this whole program and it just doesn't make any sense.

Mr. Pollock:

Mr. President, we held a public hearing before Council on this matter. The overwhelming testimony was in favor of the zone change as it is before Council without the amendment. The Planning Commission approved it, all of the neighborhood groups in the area support it without the amendment, we have citizen input, we have professional input from the City Planning Department, we have objective, impartial arbitrators, the Planning Commission deciding in favor of it. I don't see any reason to change this legislation in any way. To go along with Mr. Grabowski's amendment would leave two entire blocks industrial, yet they themselves have residences in them.

So, what Mr. Grabowski is

attempting to do is to protect a business from being a non-conforming use by being in a residential area and instead he's having residences be in a non-conforming use in an industrial area. So either way he goes, he's going to have non-conforming uses, non-conforming structures. Why go against the legislation? I mean, everybody wants it. It doesn't make any sense to go against it.

Mr. Grabowski:

In response to Councilman DePasquale and Councilman Pollock's comments, in fact, the intent of this amendment is to protect that one business. Right now that whole area is zoned industrial. The man that started operating that business went in there with the understanding that he could conduct business in an industrial zone. We're talking about a 20 block area, approximately, that's industrial and we're planning on changing it to townhouses. I see no real problem in excluding the two blocks necessary to protect this man who went in there with the idea that he could conduct business in an industrial zone and let him continue to do business in that same fashion.

Michelle Madoff:

I have a letter in front of me signed by Mr. Pellegrini that says it's illegal. "Since the rezoning is not in accord with the Comprehensive Master Plan and constitutes such a small parcel that it, indeed, would constitute spot zoning, it is, accordingly, illegal." So, we can't do it anyway.

Mr. Givens:

Mr. President, I think we have great concern here that has to ramify not just in this particular project but in any development throughout the whole

City of Pittsburgh and the fact we're saying here that this was, as Steve indicated, an industrial zoning area for many, many years. And I appreciate what the people want in that particular area now and that's townhouses. But you have to protect the people who are in there right today.

Now, the Legal Department made an indication to us and said it's spot zoning. I don't consider two blocks spot zoning. I appreciate that people don't want to have a townhouse and have something industrial come up in their midst right there. This past Wednesday I had asked the Legal Department to research this and see what they can come up with, if there's anything that we could put in there to protect this individual that if anything happens to his business, any catastrophe that would destroy his particular establishment, that he could rebuild that and have the ability to expand, as he so indicated, and the neighbors all agreed to it, up to 25 percent, to expand in that particular area and I think that's reasonable.

I'd ask the Council right here that if we do this in this particular zoning, that there's other areas of the City and especially out in the Strip District that are industrial complexes right now with residences in them and everything else. I think the Administration, I know the Mayor would like to see some type of new homes go in there, maybe condominiums. But the thing is, we still have an industrial base in the City, there's still people working there.

I would ask all my colleagues to pay attention to what Steve is trying to say and by protecting this businessperson, I think we have to be keenly aware of that. It's a very serious thing that if anything would happen to that person's business that he could not then continue. And this two block area

out of 22 blocks, to me, is not spot zoning. Someplace within a block or a half of a block or a quarter of a block, that this City is designed by blocks and by blocks we should zone, generally speaking. I can show you the zoning map of the City of Pittsburgh and show you where the back alleyway from one end to another of a block is zoned completely different from what another one is. And for having two blocks out there or at least his property, his property plus 25 percent expansion, possible expansion, should be something that we should protect. Any business person, not just this one, any business person.

Mr. Grabowski:

In response to Michelle's comment, what is proposed in my amendment is not considered spot zoning. The Law Department referred to spot zoning in general as being illegal and, in fact, it is. But the amendment that I have proposed is not spot zoning and it is legal.

Mr. Wagner:

Mr. President and members of Council, Councilman Grabowski is correct. This is not spot zoning as his amendment is proposed. Spot zoning would be the rezoning of that parcel of property itself, meaning where this business owner is. I think it's important to note here that this individual does have rights and will continue to have rights, even without this amendment.

As was indicated in a letter to all of us, dated April 25, 1986, from our Solicitor, the first sentence in the second paragraph reads as follows: "Chapter 991 of the Zoning Code sets forth the rights of a non-conforming owner to expand and to rebuild after a catastrophic accident." If this particular individual wants to rebuild as a result of

a fire, they can rebuild, even though that property is not zoned for the purpose of which they're there now. They can also expand, as was indicated to us in another letter, up to 25 percent, an agreement that Councilman Pollock has, I believe, with the business owner and the City of Pittsburgh.

The question here is whether or not, in the rezoning of two blocks of property and not rezoning two blocks of property, in addition to this one building owner, are there other developers that want to come in there and build businesses? If so, I have not heard of any. But the people of Homewoods, the people want to attract townhouses in this particular area. That's part of an overall master plan for a 20 block area along the Martin Luther King Busway. I think it's a very practical plan; I think housing is what we need in this City. Housing will improve the tax base which we all know needs strengthening.

As I indicated at last Wednesday's meeting, and I would like my comments brought forward for the record, two weeks ago I was at an annual town meeting in Homewood-Brushton of which there were approximately 150 participants. All individuals wanted to see this property rezoned, in total, rezoned. Not one individual there was against this rezoning.

Therefore, I would strongly suggest that we move forward with the rezoning, the total rezoning of the 20 acres, and continue to grant this individual the rights that they have and they will have in the future.

**(BEGINNING - MR. WAGNER'S
REMARKS ON BILL NO. 316 -
WEDNESDAY, 4/23/86)**

Mr. Wagner:

I think the avenue that Councilman Pollock is pursuing is the correct one to obtain a reassurance from Mr. Mistick and also reassurance from this Council that this individual will not be left alone if he is put in an undesirable situation with a fire in his building, or whatever, and if there is a need for expansion of his building that we do make every effort if it can't be done at that location to do it at another location that's suitable to his needs, that is not a burden on that individual economically.

I think the clear thing to remember here is that the neighborhood in far majority supports this zoning change. I was at a town meeting last week in Homewood, of which about 150 people attended, and I can tell you clearly, you know, the average person on the street wants this rezoned, and I think if we simply take into consideration this individual's needs and be prepared to deal with them when the occasion arises and move forward on the rezoning, I think that's the right way to go.

(END OF REMARKS)

Mr. Pollock:

With all due respect to Mr. Grabowski, I know what his intent is and I respect that, but I must ask him rhetorically before he votes if he is not avoiding one evil by gaining another. All the residences that will now be non-conforming uses and non-conforming structures, will be subject to the same evil that he's trying to avoid. If one of these home-owners have their houses burned down or if one of these home-owners desire to expand their property,

they'll have the same problem that he's trying to avoid with the business.

I have a commitment from the Zoning Board Administrator, Mr. Joe Mistick, that he would indeed entertain a motion, an application from the Triangle Poster gentleman to expand beyond 25 percent. We have a commitment in writing from the neighbors and the neighborhood groups that they would support an expansion beyond 25 percent. Mr. Mistick told me that when the neighbors and the neighborhood groups support it, that it generally goes through without any problems.

Similarly, the issue as to the destruction beyond 50 percent, there are serious questions about the constitutionality and legality of that, and indeed there are currently cases challenging that, and that is, if a person has a structure in a non-conforming use and it burns down, does that person have to go before anybody to get permission to rebuild. I, myself, think that he or she would not have to do that and should not be required to do that. So, again, you have the problem with that, which I don't think is a real problem at all.

You have the Planning Commission supporting this, the Planning Department supporting this, the neighborhood groups, the neighbors, the public testimony. You know, I have to wonder, what do all these people have to do to get this Council to vote? Do they have to stand on their head on Grant Street or picket with signs? What do we want? This is absolutely ridiculous.

Michelle Madoff:

I concur with Mr. Wagner and with Mr. Pollock, and I think one avenue has been overlooked. We have an Urban Redevelopment Department, there's a Relocation Department, there's funds

available. If a company is expanding 25 percent or more, obviously they're bringing in new employees; there's money available to help them. That person might even want to relocate because it might be an incentive for them to do so. There's also abatements on new buildings, improvements that are made. We should not penalize people that are trying to upgrade their community and go to townhouses. I agree. Let's call the vote.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Woods
Mr. Grabowski	(Pres't)

AYES 3	NOES 5
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VOTING NO:

Mr. DePasquale	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	

And a majority of the votes of Council being in the affirmative, the motion was defeated.

Mr. Givens:

I'd like the letters that have been sent to the various Councilpeople to be made a part of the record.

(LETTERS REQUESTED BY MR. GIVENS)

April 25, 1986

Honorable President and Members
City Council
City of Pittsburgh

Dear Mr. President and Members:

You have requested an opinion as to whether exempting the Triangle Poster Company property from the proposed rezoning would constitute spot zoning.

In Pollock v. Zoning Board of Adjustment, et al., 20 Pa. Commonwealth Ct. 641 (1975), the court stated:

"Generally speaking, spot zoning is the arbitrary and unreasonable classification and rezoning of a small parcel of land. This small parcel of land is usually set apart or carved out of a surrounding or a large neighboring tract, with no reasonable justification for the differential zoning. Cleaver v. Board of Adjustment, 414 Pa. 367, 379, 200 A.2d 408, 415 (1964). A municipality, however, may rezone a small piece of property for a use different from that of surrounding uses if such use is in accord with the comprehensive plan and reasonable use in the area. Trinity Evangelical Lutheran Church v. City Council of Harrisburg, 2 Pa. Commonwealth Ct. 222, 278 A.2d 372 (1971)."

Since the property rezoning is not in accord with the Comprehensive Master Plan and constitutes such a small parcel that it, indeed, would constitute spot zoning, it is, accordingly, illegal.

Very truly yours,

D.R. Pellegrini
City Solicitor

DRP:rms

April 25, 1986

Honorable President and Members
City Council
City of Pittsburgh

Dear Mr. President and Members:

You have requested an opinion as to whether there is a mechanism for Council to safeguard the future interests of Triangle Poster Company which is going to be rezoned to R-2T, Townhouse Residence District.

Chapter 991 of the Zoning Code sets forth the rights of a non-conforming owner to expand and to rebuild after a catastrophe. Other than giving more rights in general to non-conforming uses, which are not favored by the law, there is no practical way for Council to single out Triangle Poster Company for any special privilege to expand or rebuild that is not available to all non-conforming owners.

Very truly yours,

D.R. Pellegrini
City Solicitor

DRP:rms.

(END OF INSERT)

Also,

Bill No. 640

A Resolution entitled, "Resolution providing for an Agreement or

Agreements with the University of Pittsburgh - Office of Urban & Community Affairs for the 'Development of an Informational Profile of the Black Community in Pittsburgh."

Which was read.

Also,

Bill No. 643

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William J. McShane II for the sale of Block 23F Lot 320 in the Twenty-Fifth Ward of the City of Pittsburgh (RESALE FOR REHABILITATION)."

Which was read.

Also,

Bill No. 644

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Womanspace East, Inc. for the sale of Block 11-K Lot 15 in the First Ward of the City of Pittsburgh (RESALE FOR REHABILITATION)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 745

Report of the Committee on General Services for April 23, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 627

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing of twenty (20) portable radios at the Pittsburgh Zoo payable from Trust Fund PZCDI, Pittsburgh Zoo Capital Development and Improvement, Index Code 253708, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 645

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing, on site

delivery and installation of a Firearms Training System for the Department of Public Safety, Bureau of Administration Training Center and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 746

Report of the Committee on Parks and Recreation for April 23, 1986 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 626

An Ordinance entitled, "An Ordinance

supplementing the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, Chapter 161, by adding 161.20, "Acquisition and Disposition of Animals and Plants at the Zoo, Aviary and Phipps Conservatory."

Which was read.

Also,

Bill No. 628

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various contractors to provide professional services for the benefit of the residents of the City of Pittsburgh during 1986, and providing for the payment of the costs which shall not exceed \$81,865.00; \$10,665.00 chargeable to and payable from Code Account 1833, (183301) Recreational Activities, Concerts, and \$71,200.00 from Code Account 1838, (183806) Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 629

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The Pittsburgh Trust for Cultural Resources for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, and providing for the payment of the costs which shall not exceed \$20,000.00, and is chargeable to and payable from Code Account 1838, (183806) Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 630

A Resolution entitled, "Resolution providing for authorization to enter into an Agreement or Agreements with various contractors for professional services in conjunction with the Department of Parks and Recreation, Special Events and Cultural Affairs annual Fourth of July Celebration and providing for the cost thereof, at a cost not to exceed the amount of Twenty-Five Thousand Dollars (\$25,000.00) from the Special Parks Program Trust Fund, Index Code 254359, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 631

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Allegheny County Institutional District in connection with the Federal Area Plan for Programs on Aging providing for payment and reimbursements to the City by Allegheny County Institutional District for expenditures in connection with the Senior Citizens Program, providing for the payment of the City's share of the cost, providing for the deposit of funds."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 747

Report of the Committee on Public Safety for April 23, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 646

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contracts for the renovation, remodeling and refurbishing of the fourth floor of the Public Safety Building and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 748

Report of the Committee on Engineering and Construction for April 23, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 616

A Resolution entitled, "Resolution amending Resolution No. 97, effective March 2, 1984, entitled: 'Providing for a Contract or Contracts, or use of existing Contracts, for the rehabilitation of various Housing Authority Playgrounds including Glen Hazel and Bedford Housing sites; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$30,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

At this time I must leave, and Mr. Givens, President Pro tem, will take over.

Mrs. Masloff:

The following gentlemen have given much of themselves in time and effort to further Little League Baseball. I would ask them to come forward for this resolution. Attorney Bill Conway, George Petnuch, Richard Reagan, John McCrone, and Joe Natoli, all City of Pittsburgh leaders in a Little League Baseball movement.

Mrs. Masloff presents

No. 749 WHEREAS, a crisis exists in Little League Baseball and other amateur sports programs in the Pittsburgh area and throughout Pennsylvania in which increasing numbers of adult volunteers are being subject to frivolous liability and litigation; and,

WHEREAS, if we do not provide

protection from such nuisance suits, we risk losing volunteers, ruining the various athletic programs, and denying our children the benefits of organized, competitive sports; and,

WHEREAS, the Pennsylvania House of Representatives recently passed House Bill 1625 which seeks to lessen these frivolous law suits by establishing an accepted standard of negligence common to all non profit associations sponsoring sports programs; and,

WHEREAS, the Senate of Pennsylvania will soon consider this bill on its legislative agenda and the vote could well decide the future of amateur sports programs for the young people of our Commonwealth;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby urges the Senate of Pennsylvania to pass Bill 1625 to protect amateur sports programs throughout the Commonwealth of Pennsylvania.

Mrs. Masloff moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Conway:

Thank you, Sophie. I'm Bill Conway, the facilitator of this coalition and I'm representing several Northside athletic associations and also one in Greenfield.

What this legislation will do is provide protection for some of our neighborhood volunteers who spend their time and effort in our Little League, soccer, football and softball programs. We know how important those amateur sports programs are for the youth of our

City neighborhoods. I'm pleased that Council has decided to take the initiative to support protection for our neighborhood volunteers who are so vital to those sports programs.

I again would like to highlight some of the people who are here today. I really appreciate them coming. Joe Natoli from the Morningside Baseball Association; Richard Reagan from the 31st Ward, Lincoln Place Youth Athletic Association; George Petnuch from the 10th Ward Baseball Association up in Upper Lawrenceville; and also Johnny McCrone from the 9th Ward Little League Baseball in Lawrenceville. I appreciate them coming today and would like to afford them the opportunity to say something to Council.

Mr. Natoli:

I guess I'm the oldest one here. In the Morningside area, I know some of the guys in this room know this, I've been involved with athletics for the last 45 years, Little League for the last 34 years. We're probably one of the oldest Little Leagues in the City, next to Greenfield. Of course, John McCrone from Lawrenceville, Petnuch from the Lower 10th Ward, we've been brothers in Little League, baseball, amateur sports for years. Without the volunteers, and we don't have the volunteers that we used to have, and the volunteers you get now, with all these lawsuits coming up, it sort of scares people away.

There's no way that anybody can finance this kind of a program. These programs save an awful lot in the City of Pittsburgh, or whatever borough they're from. The City of Pittsburgh, Department of Parks and Recreation, could in no way handle the Little League programs in our City, or they couldn't handle it as well as these volunteers are doing right now.

It's very important and we are pretty much in a shocked attitude about this thing that we have to go to Legislators in Harrisburg and now it's supposed to go to the Senate now. I'm sure we will win on this thing but can you imagine if we don't win what would happen? The volunteers would walk out and from then on you'd have to pay people, you'd have to insure them in other respects outside of liability insurance. The programs would be in deep jeopardy.

We appreciate the fact that this program has been started and I would say these fellows here are probably the oldtimers of the Little League Baseball Program and they know and it's very important to us and an office such as Council here would be a big step for us to get your support in Harrisburg. It's very, very important that this happens. I know because, like I said before, after doing it for many years you meet many people, you lose many people with ages and the kids graduating, but you're not going to get that influx anymore if we have this kind of a liability looking at our people.

I thank you very much for hearing us out today. Thank you.

Michelle Madoff:

Excuse me. How do you pay the insurance now?

Mr. Natoli:

Right now, for instance, in our league we pay liability insurance, our own monies, and we have insurance on our players, managers, concession workers. This is for injury to the person. That's the only kind of insurance. And then liability insurance is if a kid breaks a window down the street or something, the ball goes over the

fence.

Michelle Madoff:

But you have that money? The community chips in to pay that insurance?

Mr. Natoli:

When the kids raise their money in Little League initially that money goes into insurance first and that's how we're protected.

Michelle Madoff:

There's some insurance but the cost is going out of sight and what you're looking for is some protection. I thought we ought to understand what we're voting on.

Mr. Natoli:

You can read about us all over the country especially in departments — I know over in the county the concessioners cannot keep up with the insurance. Something has to be done. But these are kids and without volunteers, forget it. You know yourself, the best support you can get are from volunteers.

The Chair, Pro tem:

Thank you very much.

Mr. Pollock:

Would Mr. Henninger please step forward? This is a real joy to read.

Mr. Pollock presents

No. 750 WHEREAS, Bayer AG, the West German parent company of Mobay Chemical Corporation has announced that its seven United States units will

operate under a holding company, Bayer USA, Inc.; and

WHEREAS, the Council of the City of Pittsburgh is delighted that Bayer AG has chosen Pittsburgh as its headquarters for Bayer USA; and

WHEREAS, Bayer USA, with its 25,000 employees and \$4 billion in sales, ranks among the 200 largest corporations in the United States; and

WHEREAS, the City of Pittsburgh has the third most corporate headquarters for Fortune 500 firms of all the cities in the nation, and Bayer USA will be joining 15 other such corporations based in Pittsburgh; and

WHEREAS, Bayer USA's decision was a result of the knowledge of Pittsburgh its Chief Executive Officer, Dr. Konrad M. Weis, gained through his years here as Chief Executive Officer of Mobay Chemical, and because of the quality of life and relatively low cost of living in Pittsburgh; and

WHEREAS, Bayer USA's decision reaffirms Pittsburgh's position as an important headquarters city and indicates that Pittsburgh is a liveable city for businesses as well as people; and

WHEREAS, it is earnestly hoped that our City will also attract some Bayer USA subsidiaries to locate here; and

WHEREAS, the Mayor, the City Council, and the residents of Pittsburgh warmly welcome Bayer USA to our City and offer any assistance the company may need in making its transition an easy and enjoyable one.

NOW THEREFORE,

BE IT RESOLVED, that the month

of May shall be known as "Bayer USA Month" in the City of Pittsburgh so that the company will know how very happy and proud the people of Pittsburgh are to have Bayer USA join its family.

Mr. Pollock moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Pollock:

Michelle was going to introduce similar legislation on this so when I'm finished she might like to say a few words as well and maybe come up here if she likes.

I just want to say that all of us in Pittsburgh and all of us in Western Pennsylvania have live through many defeats lately and a lot of things that have made us very sad, the Union Switch and Signal battle, the Dorothy Six and a lot of mills closing, so that when it comes time to have a victory I think that that should get as much publicity as some of the failures have. And this truly is a great victory. A company of this magnitude, a corporation with this number of employees and this amount of billions of dollars of sales locating here because of Pittsburgh, not just because it's convenient but because of what Pittsburgh is, is truly a great success story.

Mobay Chemical, located out by the Airport, it's a very low-profile company but it should be known that Mobay was the largest headquartered company in the United States that is headquartered outside the nation. So, the Mobay in Pittsburgh was the largest foreign held corporation located in the United States. And now we're going to have the parent company, Bayer USA,

here and it says a great deal about our area.

So, we're going to try and get this as much publicized as possible so that people know about Pittsburgh more and so we can get more of these companies to locate here and, more than that, we're going to do all we can to help Bayer in its transition here and then once its here to make its existence here as enjoyable and as profitable and as rewarding as possible.

I think the only other thing I want to say before turning it over to Michelle and anybody else is that the spelling for the parent company is B-a-y-e-r and I know that the European German pronunciation is "Buyer", but I think you people better get used to being called "Bayer" because, as the residents of North Versailles will tell you, you can forget about having European pronunciations around here.

With that, I'll turn it over to Michelle, if she wants to say anything, or join me up here.

Michelle Madoff:

I had just asked the City Clerk to prepare the same resolution and I'm just delighted that two minds think alike and he did a superb job. I welcome you; we're happy you're staying. Expand quickly, we need the jobs.

Mr. Pollock:

Mr. Henninger is the Vice President of Financial Services for the Mobay Corporation.

Mr. Wagner:

I would just like to ask Mr. Henninger, in evaluating Pittsburgh, what were our strengths and what were

our weaknesses and overall what was the bottom line as to why you chose Pittsburgh?

Mr. Henninger:

Well, Mobay which is one of the seven corporations of Bayer USA has been headquartered here in the Pittsburgh community for over 30 years. I personally have been connected with the company for 23 of those 30 years. So, over that period of time, Pittsburgh did not have to sell itself. We have learned to find out that Pittsburgh is, in fact, the number one City.

Mr. Wagner:

And will you be located in the same complex with Mobay or another complex?

Mr. Henninger:

No, Bayer USA will be headquartered here in the City of Pittsburgh, in one of the buildings in the City, but Mobay will still be headquartered on Parkway West.

Mr. Wagner:

Okay. Welcome.

Mr. Henninger:

Thank you.

On behalf of Bayer USA and its Chief Executive Officer, Dr. Conrad Weis, I'd like to thank the members of City Council for this proclamation in naming the month of May as Bayer USA Month.

As I mentioned before, one of the seven companies, Mobay, has been headquartered in the Pittsburgh community for over 30 years so trying to

convince the more than 1000 employees of Mobay that the City of Pittsburgh is in fact the number one City was relatively easy. Therefore, Bayer USA has been very proud in naming Pittsburgh its number one City by locating our headquarters here.

We thank the members of City Council once again and I give you my personal comments that we will try to be a very good corporate citizen in the future.

The Chair, Pro tem:

I'd just like to make one comment if I might on behalf of the Mayor of the City of Pittsburgh, which this resolution does include, including myself. When I looked in the business section of our local newspaper and saw that your company was in fact going to locate here, I was very, very happy because we have seen within the City of Pittsburgh, as has been indicated, some companies, corporate companies, who have left here.

I only ask one thing of you and that is to bring as many of your satellite companies where we can get some workers here and not just have the corporate headquarters but bring some of your satellite companies in here and put some of our people to work because they would dearly appreciate. Thank you very much.

Mr. Pollock:

Another one I have to read is also a great victory for the City. In fact, it's only the second time its ever happened, and that is regarding the awarding of a Pulitzer Prize.

Mr. Pollock presents

No. 751 WHEREAS, the Pulitzer Prize has been awarded for outstanding

work in journalism, literature, music, history, fiction, and poetry since 1917; and

WHEREAS, the Pulitzer Prize is the highest honor awarded to journalists for exceptional reporting; and

WHEREAS, Mary Pat Flaherty and Andrew Schneider of The Pittsburgh Press received the specialized reporting award for their series of articles on the scientific and ethical questions raised by the nation's organ transplantation program; and

WHEREAS, their ten month investigation chronicled in their series of articles entitled "The Challenge of a Miracle: Selling the Gift" resulted in changes being made in the field of organ transplantation; and

WHEREAS, this award marks only the second time a Pittsburgh newspaper has captured the Pulitzer Prize, thereby bringing national attention to the City of Pittsburgh and to the exceptional quality of reporting of our City's journalists.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh recognizes and congratulates Mary Pat Flaherty, Andrew Schneider, and The Pittsburgh Press for their exceptional work in the field of journalism and for bringing to light the problems in our nation's transplantation program.

Mr. Pollock moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Pollock:

We'll probably get another one next

year for John Schmitz' series of articles on Council's expense reports.

Michelle Madoff:

I have a floor motion. Can I read it? It's a floor motion making available funds for the hiring of a photographer to take photographs of City problems at any time, day or night, so that these problems can be best brought to the attention of department heads and other Councilmembers.

The Chair, Pro tem:

We have a motion; do we have a second?

Michelle Madoff:

We don't have anybody here. How are we having a floor motion without anybody here? I think I'm going to keep it a week until somebody is here.

The Chair, Pro tem:

We'll go with your motion, Michelle. Does anybody second the motion?

Mr. Pollock:

I'll second the motion.

Michelle Madoff:

Now discussion. We have an item that you brought up, Mr. Givens, and I think you were right on target. The \$76,000 that's being paid, we voted on it today, on a claim and you talked about the streets being in repair. I was out one day at the Larimer Avenue Bridge and I complained that there was a problem there and we were told that the youngsters were throwing boulders over the bridge and they put up a sort of mesh fence and that didn't take care of it,

they said the kids were crawling over it. But what it turned out to be was water seeping through the bridge, breaking off, and large boulders falling and there was no net underneath the bridge. We've since amended the law to take care — all bridges must have nets.

But if you recall, those boulders actually fell through two businesses, costing the City a great deal of money. We're self insured. One was a small industrial business and the other was a residence.

We then had a subsequent episode where the boulders fell through a car on election day, went through the glass, blinded the driver, and put all the lights out in that area on election day and nobody could vote in the area. I had the chauffeur at that time, and I don't recall who it was, put some of the boulders in the trunk and I brought them to Council on a little wagon. I did not call television because I was not doing it as a publicity stunt. I was severely chastised by the media who thought what a great visual.

I think it would be very beneficial for this Council, when there are issues happening, to actually see photographs. For example, McArdle Roadway took seven years, it was down half the time, it was close some of the time completely, and we brought it in \$100,000 under budget two months ahead of time seven years later. You drive up McArdle Roadway, we've had one very serious accident, one of the employees of the Shiloh Restaurant went down one evening when it was cold out and skidded on some ice and was unconscious. It appears that the problem was not the City's but PennDOT putting water over the hill because of some problem. We have some problem with the design, we have water there today, moisture on the ground. If it was cold out we'd have a problem. The

sidewalks were never repaired. There's a problem with the retaining wall for the incline, and no one going up that Roadway would ever believe that the millions of dollars that were spent on it were spent and it was never done.

Either we adjourn meetings and we go out and take trips around the City on a bus and we show some of these things happening or let's get some photographs. Our office wanted to show some photographs of the garbage in the living room of the City of Pittsburgh, which is the Downtown area, the first thing people see. At 5:30 or 6:00 it's neatly piled up Downtown. By 8, 10, 11 o'clock it's strewn by either the rats getting into it from the sewers or the street people going through the garbage. The City looks like a garbage dump. I needed some pictures of that. We got pictures early of the garbage neatly piled showing that the garbage was indeed outside in the Downtown area but not what happens to it.

There's a boulder sitting up on McArdle right now that's come off the side of the wall that could hurt a car and do some serious damage. There are trucks going by that don't have tarpaulins, trucks where the license plates are completely covered. We don't have any photographs.

If members of Council had access, as we should, to a photographer, I'm not a photographer, to take some photos at not unreasonable rates and not unreasonable times and we make arrangements with the photographer they're generally available.

The Chair, Pro tem:

Just two things very quickly. One, we do have cameras at our disposal —

Michelle Madoff:

No we don't.

The Chair, Pro tem:

Yes we do.

Michelle Madoff:

I checked this.

The Chair, Pro tem:

I talked with our Finance Department. They do have —

Michelle Madoff:

We tried to get them. We had to go out and pay for our own.

The Chair, Pro tem:

No, they have film and I have used them myself —

Michelle Madoff:

To go out and take pictures?

The Chair, Pro tem:

Yes we have them.

Michelle Madoff:

To go out and take pictures for you?

The Chair, Pro tem:

Yes.

Michelle Madoff:

Do you mean I can have them come in in the evening and have them take pictures in the camera?

The Chair, Pro tem:

Well, I mean anyone can operate the cameras and I think within the Public Safety Department of the City of Pittsburgh, you'll find in there that we do have an audio visual which includes camera, picture taking, etc., and that's a capability that the Mayor can use.

Mr. Pollock:

Just so we know, Mr. Givens, are you saying that if tonight at 11:00 I wanted to have a photograph taken of something there's a number I can call to have a photographer from the City go out and take a picture of something?

The Chair, Pro tem:

I don't know what the status of the Public Safety Department is in that particular department but it's a very interesting area I think we should explore into.

Mr. Pollock:

I support what Michelle is talking about. I think that photographs can be a great benefit to this Council whether it be at a public hearing or just a Committee Meeting or even for a final vote.

My question for Michelle would be, who would be in charge of determining? Can any one of the nine of us request a photograph be taken and request that the photographer go out? Or would it require a vote of Council to determine whether or not --

The Chair, Pro tem:

No, I think, as I indicated, we have our own equipment back there. It's not the best in the world. If you want some very specialized equipment, I think the

City is going to have, if they don't already have, some very qualified people with the state of the art equipment on board to give whatever type of photography that you might need. I don't know if that's in position right now. I know this Council has budgeted for it over some 18 months ago and it should be on hand or very shortly should be on hand.

Mr. Wagner:

Mr. President, Pro tem, and members of Council, I think the only way it's possible to accomplish this is for Council either to do it with a staff person or with a consultant. We do not have jurisdiction, obviously, over the Administrative branch of government and could not command to have an individual from the Administration to go out and take photos of whatever.

I would just possibly suggest to Councilwoman Madoff that maybe the way to go about this would be for the City Clerk to assign a particular individual that responsibility to have a quality 35mm camera and maybe send that individual to a one or two day school on the operation of that camera and have that individual available to all nine Councilmembers.

The Chair, Pro tem:

I think we can do that, possibly. But here again, we have I think an excellent capability --

Michelle Madoff:

Excuse me, Mr. President. We checked with the Public Safety Department and they turned us down.

The Chair, Pro tem:

When was this?

Michelle Madoff:

We took pictures of the litter in the Downtown area on two occasions. We went to the Public Safety Director and we were turned down.

And there's another dimension that we've all forgotten. What happens when one member of Council inadvertently walks into another department and sees checks not deposited for six months, not getting interest, and they want a photograph of it? Do you think we're going to go to the Administration to get a photograph of checks sitting around, they're going to let us in? I was told if I went in I was to be physically evicted, to lift me up and take me out. Fortunately, that problem has been corrected. But I would suggest that we ought not to mix our business with the Administration's business.

If I want some photographs taken because somebody calls me, as they did today, to tell me about a problem that exists in the City and I don't believe it, I want to see that photograph. I would like to have somebody go and take a picture of that situation and bring it back to the people who are going to vote on it, the colleagues.

I think for example, we've maligned, and I've probably been part of the people, Mr. Grabowski on his newsletter when indeed one of the things he warned us against was subsidence. I think if he'd had some photographs that were taken and given to us early on before his newsletter that we may have been more supportive.

I think that photography would be very helpful and it should not be the Administration knowing exactly what we're doing. I need some pictures taken right now and I don't want anybody to know what I'm doing.

The Chair, Pro tem:

Michelle, if I might make a suggestion, I think we're talking now about an in-house solution. May I recommend that we hold this until our Monday monthly meeting —

Michelle Madoff:

I need them right away. I need those pictures tomorrow.

The Chair, Pro tem:

Well, I think the motion you have before us is to hire someone to do this. Suggestions have been made by Mr. Wagner that we can maybe assign somebody in-house to do it. I don't know if we need a vote on this particular motion —

Michelle Madoff:

I'd like a vote on it.

Mr. Pollock:

Before you vote on it let me just ask one question. Could not Michelle go out tomorrow and retain a photographer and then after having the photographs submit the bill to Council to be paid as an expense?

The Chair, Pro tem:

I'll ask the Chief Clerk to answer that.

Mr. Perry:

Yes.

Michelle Madoff:

We have a \$75 bill for you.

Mr. Pollock:

It's a City expense.

Michelle Madoff:

I have a \$75 bill for you. We'll line up our own photographer, we'll give you the bill, you reimburse us. That would be just ducky.

Mr. Perry:

It will be on Wednesday's agenda for payment, Council will vote on it.

Michelle Madoff:

The thing that I'm concerned about is that I don't want to end up with another \$250 fine at the Election Board saying that I took that out of my political fund. I think that if I'm a good Councilperson I'm a politician which is political and I'm not taking that out of my private fund, it does indeed come out of my political fund.

I want to take some pictures of the garbage strewn all over the street because Mary Beth Salley came here and said, "I had a baby" and then she said, "We just formed the laws". Well, all I know is that this Council has been giving money to that committee for years and years and years and I don't want to see the Downtown looking like a garbage dump.

Mr. Grabowski:

I think what our City Clerk indicated is correct, that we can, any one of us, go out and hire a photographer. But I would submit that that could become pretty costly and perhaps an alternative would be to maybe buy two or three cameras for the office. As Michelle indicated, some of these things that some of us may be

working on may be confidential in nature and rather than have one individual from the City Clerk's Office assigned to that function let Michelle go out and take the picture or myself or anyone that would like to.

The Chair, Pro tem:

We have those cameras presently back in our Finance Department. They're fairly decent cameras. I've used them for a number of years. The film is back there.

I think Michelle's problem goes a little bit deeper. She's asking for someone 24 hours a day, 7 days a week, if she receives a call about a condition, that she might not have to go personally there but call somebody up and ask them to go out and take some pictures of that particular area. That could get costly depending upon how aggressively the Councilpeople would use it.

Mr. Grabowski:

With respect to that, we all have administrative assistants and I know I've called on mine to go out in the evenings or put time in above and beyond what she normally does. If I wanted to take some photographs of a particular problem and I couldn't do it myself, I'm sure that my assistant would be willing to do that.

Michelle Madoff:

We're talking about it becoming costly. It won't be as costly as \$76,000. I think it would be cost effective if we bring some of those problems to the attention of Council and I don't have a problem with having a person hired for all of Council keeping confidentiality. The person wouldn't have their job long if they went out and said they were doing work for one as opposed to the other. The chauffeurs keep confidentiality, I find

the Clerk's Office keeps confidentiality. I don't have a problem with hiring a photographer, even part-time. We don't need a full-time photographer, pay them by the hour. We go through Mike Perry, we have a photographer available, we ask Mike to get in touch with him, say I need him at 8 o'clock at night, I need him to go at 10 in the morning, 3 in the afternoon, have a person available and, as you pointed out, some of the streets you'd like to have photographed. You don't want to send your aide out. Maybe it's not safe at night or maybe you've got something else, your aide is working on another project. Let's have somebody who can take some photographs for us. It's a lot cheaper, a lot less costly than the damage that's done.

Mrs. Masloff:

Are you suggesting that we hire somebody?

Michelle Madoff:

I'm suggesting that Mike find some photographers for us, that we go to him like we would to a chauffeur, but they're on a consultant basis so we have no benefits, nothing. We have somebody who can do photography, we go to Mike and say, "Mike, can you get me a photographer for 10 o'clock tomorrow?", or the woman calls me and I say, "This is what I want, would you please go get the pictures taken?" Then I'd bring them to Council and show you what I've got. I may go out at 11 o'clock at night. The independent photographers will work at strange hours.

That's my motion. That we have somebody assigned by Mike, hired as a consultant to Council, to be able to do photography for us as needed. We may find that we use it very seldom; we may find we get 10 or 20 hours a year. I don't

think we're talking about a large sum of money.

Mrs. Masloff:

What I don't understand is that if Mike has cameras, he says he has cameras --

Mr. Perry:

I have one right now.

Mrs. Masloff:

Well you buy another camera; how much could that cost? Then, periodically, when you want to take a picture, you can send anybody from the staff out.

Michelle Madoff:

Do you know somebody on the staff you can send out to take a picture? That's fine with me.

Excuse me, Sophie, we have a problem. At 3 o'clock in the morning when there's a water break and nobody shows up and the water is pouring, I'd love to have a cameraman standing there taking a picture of the leak and three days later the leak not repaired. I think we need a photographer to help us make our case.

I would like to be specific about my motion. Sophie raise an issue so we'll put it to rest, that Mike has a couple of cameras or we have an available photographer and they usually have their own cameras, that we hire by the hour, they work for any member of Council that would like some photographs taken of cracked streets, of whatever we think is important, that would save the taxpayers money by seeing that the problems are corrected.

The Chair, Pro tem:

I think that's within the realm of all Councilpeople and we have a code account that monies can be expended. The Chief Clerk has so indicated that we can do that. For that reason, I don't think there needs to be any requirement for a vote on this particular motion.

Michelle Madoff:

I would like to have a photographer for Tuesday, Wednesday or Thursday. I have something I want photographed. Three things I want photographed: a street at night, the boulder on McArdle, and I've got another goody.

Mr. Wagner:

Mr. Chairman, I believe there's a motion on the floor and a second. We have to vote on it.

The Chair, Pro tem:

Well, I think it was so indicated that it can be handled in-house, we have that capability, and we don't have to actually have a motion.

Mr. Wagner:

I believe according to Robert's Rules those motions must be retracted in order for us not to vote on them.

The Chair, Pro tem:

You're absolutely right, Jack. I thought I could solve that very quickly. If not, there was a motion, it was seconded. Will the persons who made the motion and seconded the motion please withdraw their motions?

Michelle Madoff:

I'm willing to give it a shot for a

week to see if I can get my photographs. If I can't, I'll be back with my motion.

Mr. Pollock:

Are you withdrawing your motion?

Michelle Madoff:

Yes.

Mr. Pollock:

I'll withdraw my second.

Mr. Grabowski moved to excuse Mr. O'Malley for absence from the meeting.

Mrs. Masloff seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Grabowski**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX Monday, May 5, 1986

No. 18

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA

Monday, May 5, 1986

PRESENT:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods (Pres't)

ABSENT:

Mr. O'Malley

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. DePasquale presented

No. 752 Resolution providing for the issuance of a warrant in favor of Patsy Catanzaro Construction (Patsy Catanzaro, Owner) in the amount of \$145.14 in payment of Extra Work, being in addition to the original contract price of \$92,800.00 on Controller's Contract No. 26971F, furnished for the benefit of the City in connection with the Reconstruction of the Wick Street Wall, payable from Code Account CDPW 83-35. (PRIOR APPROVAL GRANTED)

Also,

No. 753 Resolution providing for the issuance of a warrant in favor of Trumbull Corporation (Perry J. Dick, President) in the amount of \$15,259.60 in payment for Extra Work, being in addition to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street - Phase I, payable from the Grant Street Trust Fund. (PRIOR APPROVAL GRANTED)

Also,

No. 754 Resolution providing for the issuance of a warrant in favor of NICET in the amount of \$1,850.00 covering examination fees for 37 applicants for Level 2 certification in the National Institute for Certification in Engineering Technologies, payable from Code Account 1482.

Which were severally read and referred to the Committee on Finance.

Mr. Givens presented

No. 755 Resolution transferring the sum of \$150,000.00 from Code Account No. 1167, Wages, Regular Employees, to Code Account No. 1160-1, Premium Pay, Department of Environmental Services.

Which was read and referred to the Committee on Finance.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 756 Resolution granting unto Allegheny International Tower, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Vault and Cornice Encroachment in and over a portion of the sidewalk of Liberty Avenue in the 1st Ward of the City of Pittsburgh.

Also,

No. 757 Resolution granting unto Renaissance Federal Credit Union, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, Steps, Ramp and Planters on a portion of the sidewalk of 43rd Street in the 9th Ward of the City of Pittsburgh.

Also,

No. 758 Resolution granting unto Mary Beth Schwartz, her successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Building Encroachment on a portion of the sidewalk of S. 19th Street in the 17th Ward, City of Pittsburgh.

Also,

No. 759 Resolution granting unto Dolores Felsing, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, an Off Street Parking Area on a portion of the Right of Way of Scull Street in the 24th Ward, City of Pittsburgh.

Also,

No. 760 Resolution vacating Conkling Street from Wylie Avenue to the Northwestern terminus, a distance of 120 feet in the 5th Ward of the City of Pittsburgh, excepting and reserving an easement for the 6-inch water line and 15-inch sewer line.

Also,

No. 761 Resolution adopting Official Sewage Facilities Plan for - Haslage Plan IV.

Also,

No. 762 Resolution adopting Official Sewage Facilities Plan for Pittsburgh Technology Center.

Also,

No. 763 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting authorization for Brother Richard Emenecker, F.S.C., to attend the Municipal Administration of Cable Television Seminar in Madison,

Wisconsin from June 23-24, 1986, at no cost to the City of Pittsburgh.

Also,

No. 764 Communication from James Norman Walker, Director, Department of Environmental Services, requesting authorization for Barry McMeekin and Carl Brown to attend the 12th Annual Southeastern Animal Control Association Seminar in Columbus, Georgia from June 19-21, 1986, at a cost not to exceed \$1,600.00, payable from the Animal Control and Animal Welfare Trust Fund.

Which was read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 765 Resolution providing for an Agreement or Agreements with Jubilee Association, Inc. for professional services for 1986 at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1103, Miscellaneous Services, Department of City Planning, and transferring \$5,000.00 from Code Account 10, Accounts Payable Prior Years to Code Account 1103, Miscellaneous Services.

—(SPONSORED BY MR. GRABOWSKI)

Which was read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 766 Resolution providing for the issuance of a warrant in favor of Marion A. Monheim, in the amount of \$2,500.00 for consulting services rendered to Michelle Madoff, chargeable to and payable from Code Account No. 1001-2, Salaries, Wages and Services of Council.

—(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

Michelle Madoff:

Point of clarification. That money is being transferred to the City Clerk, the City Clerk pays it. It's still under the same stipend assigned to Councilmembers.

Mr. Pollock for Mr. O'Malley presented

No. 767 Resolution providing for the issuance of a warrant in favor of C. Lindquist Associates, P.O. Box 7907, 3075 West Liberty Avenue, Pittsburgh, PA 15216, in the amount of \$788.90 in payment for photographic services supplied to the Mayor's Office, chargeable to and payable from Code Account 1017, Miscellaneous Services, Mayor's Office.

Which was read and referred to the Committee on Finance.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 768 Resolution providing for the issuance of a warrant to Michelle Madoff in the amount of \$15,000.00 in full settlement of claim for personal injury, arising from a fall on July 15, 1985, on television cable in City Council Chambers, City-County Building, payable from Code Account No. 46, Judgments.

Which was read and referred to the Committee on Finance.

Also,

No. 769 Resolution providing for the letting of a Contract or Contracts, or the use of existing contracts for the furnishing and delivery of computer furniture at a cost not to exceed \$60,000.00, payable from Code Account No. 1045, Equipment, Bureau of Information Systems, Department of the Mayor.

Which was read and referred to the Committee on General Services.

Also,

No. 770 Communication from James M. Kiesel, Executive Director, David L. Lawrence Convention Center, submitting a list of the Authority's personnel, as of December 31, 1985.

Also,

No. 771 Communication from Richard Cosentino, Executive Director, Pittsburgh Water and Sewer Authority, submitting a list of personnel, as of December 31, 1985.

Also,

No. 772 Communication from Ronald C. Schmeiser, Director, Department of Finance, submitting a report of deposits and market value of collateral security pledged by City Depositories to secure same as of March 31, 1986.

Also,

No. 773 Communication from Stephen A. Schillo, Treasurer, Department of Finance, submitting the University of Pittsburgh's "Analysis of

the impact of Military Spending in the City of Pittsburgh for Federal Fiscal Year 1984", as of 1985.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 774 Resolution transferring \$35,000.00 from Code Account No. 41 Refunds - Real Estate Taxes to the MSP (Main Street Program) Trust Fund.

Which was read and referred to the Committee on Finance.

Also,

No. 775 Resolution providing for an Agreement or Agreements with the South Side Local Development Corporation for the implementation of the Main Street Redevelopment Program at a cost not to exceed \$35,000.00, chargeable to and payable from the MSP (Main Street Program) Trust Fund.

Also,

No. 776 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 16, by changing: From "R4" Multiple-Family Residence District to "R2" Two-Family Residence District 79 properties with frontage along DENNISTON STREET; HOWE STREET; HAILMAN STREET; KENTUCKY AVENUE; WALNUT STREET and AURELIA STREET, 7th Ward.

Also,

No. 777 Communication from Robert H. Lurcott, Director, Department of City Planning, requesting authorization for Donald Harris to attend a workshop in Jessup, Maryland from May 8-9, 1986, at a cost not to exceed \$200.00, payable from Code Account No.

CDPA 1985. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 778 Resolution providing for the issuance of a warrant in favor of James L. Smith Insurance Agency, 304 Cochran Road, Pittsburgh, PA 15228, in the amount of \$1,211.00 for extending Ambulance Attendants & Omissions Liability Insurance Policy Endorsement, to extend the policy period, chargeable to and payable from the Department of Public Safety, Bureau of Emergency Medical Services Code Account (EMNEAS).

Which was read and referred to the Committee on Finance.

Also,

No. 779 Resolution providing for an Agreement or Agreements with the South Side Sooners Youth Football Program for professional services for 1986 at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1838 Miscellaneous Services, Department of Parks and Recreation, and transferring \$2,000.00 from Code Account 10, Accounts Payable Prior Years to Code Account 1838 Miscellaneous Services.

—(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Parks and Recreation.

The Chair presented

No. 780 Petition from the residents of Polish Hill, City of Pittsburgh, requesting a public hearing concerning the rehabilitation of West

Penn Center, construction of a swimming pool at the West Penn Center; and also request this hearing be cable-cast. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 781 Petition from the residents of the City of Pittsburgh, requesting a public hearing concerning the Mayor's Annual Report on Military Spending and the impact on the local economy with regard to jobs and social services. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which was read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 782

Report of the Committee on Finance for April 30, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 666

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company (Peter Nicholson, President) in the amount of \$6,814.50 in payment of Extra Work in connection with the Goettman Street Wall Emergency

Contract; and providing for the payment thereof."

Which was read.

Also,

Bill No. 667

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Thomas A. Mekis & Sons, Inc. (Kenneth L. Wolf, Vice President) in the amount of \$1,248.57 in payment of Extra Work, being in addition to the original contract price of \$3,414,646.20, on Controller's Contract No. 27595, furnished for the benefit of the City in connection with the Demolition and Reconstruction of Baum Boulevard Bridge; and providing for the payment thereof."

Which was read.

Michelle Madoff:

On Bills 666 and 667, I will abstain until I have the list of the companies and individuals for which the Chairman abstained for eight or twelve years to make sure they're not in conflict. The list should be ready, I believe, on Wednesday

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale
Mr. Givens

Mr. Pollock
Mr. Wagner

Mr. Grabowski
Mrs. Masloff

Mr. Woods
(Pres't)

AYES 7

NOES none

(MICHELLE MADOFF ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 675

A Resolution entitled, "Resolution providing for a Contract or Contracts or to use existing Contracts for the furnishing, delivery and installation of Office Furniture for the Department of Personnel and Civil Service Commission and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 676

A Resolution entitled, "Resolution providing for a Contract or Contracts or to use existing Contracts for the furnishing, delivery and installation of a Filing System and accessories for the Department of Civil Service Commission and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 677

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$16,000.00 in full settlement of a claim for personal injuries to Margaret Mary Lyden, deceased, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 689

A Resolution entitled, "Resolution transferring the aggregate amount of \$27,800.00 from Code Account 10, Accounts Payable Prior Years, (Index Code 001008); to Code Account 1103, Miscellaneous Services \$15,800.00 and Code Account 1838, Miscellaneous Services \$12,000.00." —(SPONSORED BY MR. WOODS)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 783

Report of the Committee on Public

Works for April 30, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 706

A Resolution entitled, "Resolution providing for the Repeal of Resolution No. 298 approved April 11, 1986, effective April 16, 1986 entitled: 'Vacation of Congress Street from Fifth Avenue to its Northwesterly Terminus (170+ or _), in the 3rd Ward, City of Pittsburgh.'"

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Michelle Madoff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 784

Report of the Committee on Engineering

and Construction for April 30, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 414

A Resolution entitled, "Resolution providing for a Contract or Contracts for the Demolition of the Melancthon Street Footbridge over Baltimore and Ohio Railroad, including necessary work on private property; and providing for the payment of the costs thereof."

Which was read.

The Chair:

If I can explain this, we had a public hearing on this and the Director of Engineering and Construction, we met with the people, the Chairmen, and they decided to rebuild this bridge rather than tear it down and that's why it's coming with a negative recommendation.

Michelle Madoff:

Clarification. Would you give me that again? They want to rebuild it instead of taking it down? You can't rebuild it unless you take it down.

The Chair:

They're going to rehab it.

Michelle Madoff:

They're going to rehab it but they're not going to rebuild it. How will the numbers change?

The Chair:

There's no numbers on it.

Michelle Madoff:

Excuse me, I don't think you understand. There's \$48,000 — Is that for a new bridge?

The Chair:

That was to tear it down, I'm sorry. I think for another \$10,000 or \$20,000 they can rebuild it.

Michelle Madoff:

So, in other words, the amount would go up —

The Chair:

We don't know that until they come in.

Michelle Madoff:

I have a comment on that. I understand that there was an interim letter, and I haven't signed it yet, circulated by Mr. Pollock as recommended by myself at the time that the group wanting the pool on the hill —

Mr. Pollock:

Wouldn't that be under New Business?

Michelle Madoff:

I want to put the money to it.

The Chair:

Michelle, that's altogether different. It's a different project.

Michelle Madoff:

Whoa, whoa.

The Chair:

No whoa, it's an altogether different project. We are talking about Bill 414 and that's what we're discussing at this moment.

Michelle Madoff:

Mr. Chairman, if it is you're pleasure I'll wait until the end of the meeting and recommend that the monies saved here be used towards that —

The Chair:

There's no money going to be saved here. It's going to cost more money than the \$48,000.

Michelle Madoff:

I thought it was going to cost \$12,000.

The Chair:

It could cost \$12,000 or \$20,000 more.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

VOTING NO:

Mr. DePasquale
Mr. Givens
Mr. Grabowski
Michelle Madoff

Mrs. Masloff
Mr. Pollock
Mr. Wagner
Mr. Woods
(Pres't)

AYES none

NOES 8

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also, with an affirmative recommendation,

Bill No. 668

A Resolution entitled, "Resolution further amending Resolution No. 284, effective March 29, 1985, as amended by Resolution No. 167, effective March 11, 1986, entitled: 'Providing for a Contract or Contracts for the Reconstruction of Penn Avenue from Beatty Square to Penn Circle East/South, including Street Lighting, Traffic Signalization, Intersection Improvements, work on private property and other work incidental thereof; and providing for the payment thereof,' by increasing the total project allocation by \$20,000.00."

Which was read.

Also,

Bill No. 669

A Resolution entitled, "Resolution amending Resolution No. 274, effective March 29, 1985, entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants in connection with asbestos and environmental quality assessment and analysis at various City facilities; and providing for the payment of the cost thereof,' by providing for a Supplemental Agreement or Agreements and by increasing the total project allocation by \$50,000.00."

Which was read.

Also,

Bill No. 670

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Architectural/Engineering Services in connection with the design of and preparation of documents necessary to rehabilitate the existing No. 1 Fire Station located at 344 Boulevard of the Allies; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 701

A Resolution entitled, "Resolution providing for a Contract or Contracts or use of existing Contracts for the Fabrication and Erection of a Modular Office/Maintenance Building for the Department of Public Works' Asphalt Plant; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale
Mr. Givens
Mr. Grabowski
Michelle Madoff

Mrs. Masloff
Mr. Pollock
Mr. Wagner
Mr. Woods
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mrs. Masloff:

Would Kay Tillow, President of the Pittsburgh Chapter of the Coalition of Labor Union Women, Ruth Jones, Secretary of the Pittsburgh Metro Area Postal Workers' Union, and Joyce, from the American Federation of State, County and Municipal Employees please come forward?

The Chair and Mrs. Masloff present

No. 785 WHEREAS, working women now account for 44% of the labor force and will account for nearly 50% of all workers by 1990; and,

WHEREAS, working women have been and are an integral and permanent part of our community's history; and,

WHEREAS, the increasing number of women in the work force requires ongoing efforts by leaders of government, business and labor to develop long-range solutions to address child and dependent care needs, employment and wage discrimination, training and retraining needs, social security and pension inequities; and,

WHEREAS, Pittsburgh City Council recognizes the important contributions working women make to their places and communities; and,

WHEREAS, it is necessary to increase public awareness of their contributions and the concerns they face;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize May 4-10, 1986, as "Working Women's Awareness Week," in the City of Pittsburgh, and urges all citizens, employers and community leaders to: (1) recognize the contributions of its working women, through special events and activities during the week, and (2) assist in developing programs in the City of Pittsburgh to better meet the changing needs and concerns of our working women.

Mrs. Masloff moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Ms. Tillow:

I'd like to thank the Councilmembers for passing this resolution. We would love to have you join us on Wednesday, May 7, where we will be in Mellon Square distributing yellow roses and pushing for the passage of the Parental and Disability Act on a federal basis to provide for the right for women throughout our country and we certainly hope that this is a beginning of the Council looking at ways we can solve the problems, the inequities in earning power between men and women, the problems of inadequate child care, in Pittsburgh and nationally, and all the other kinds of things that we've got to work for to finally reach equality and justice in our society. Thank you.

Michelle Madoff:

I think its all good and well to have a week to recognize the problems and I hope that, as you say, maybe something will start to happen but we've all been waiting a very long time. I don't

know that a recognition week is going to make those who don't care any more interested in recognizing the problems.

One of the things that I'd like to see happen that would be meaningful or effective would be to get a bill through the City immediately, as soon as possible, and I'm having somebody prepare something for us, is a flexible benefits bill so a woman working for the City who doesn't need to have duplication of medical services, meaning Blue Cross, Blue Shield, Major Medical, because her husband carries it — my former aide's husband had one of the best plans in the world but she took it here, it was mandatory — to stop the duplication of mandatory benefits that don't give you any benefit but you're paying for it, and perhaps have something like a day-care center right in the place where you work.

Those are the kind of things we have to do and set by example to do something rather than declaring a week, but that's nice too.

The Chair:

Thank you ver much.

Mr. Wagner presents

No. 786 WHEREAS, Pittsburgh's reputation as a growing center for road racing in the United States has been established with events such as the Great Race, numerous 10 kilometer neighborhood races, and the upcoming May 18th Pittsburgh Marathon; and,

WHEREAS, a public hearing was held last week on Tuesday, April 29th, at which several doctors, health specialists, and road racing coordinators testified that the 10:30 A.M. starting time for the Marathon creates a serious health hazard for the hundreds of participants who will be forced to run in the afternoon heat;

and,

WHEREAS, the average temperature for May in Pittsburgh increases more than 20 degrees from morning to afternoon, thus increasing the health risks to the runners and, should the weather be unseasonably warm on that day, an even greater potential exists for fatalities; and,

WHEREAS, an 8:00 A.M. starting time would enable more runners to complete the marathon in the cooler morning hours and thus substantially lessen the health risks posed by finishing the course in the heat of the day;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recommends and urges Pittsburgh Marathon, Inc. to change the starting time of the Pittsburgh Marathon from 10:30 A.M. to 8:00 A.M. in the interests of the health of the runners.

Mr. Wagner moved to adopt the resolution.

Michelle Madoff seconded the motion.

Mr. Wagner:

Discussion. Mr. President and members of Council, this resolution is an outgrowth of our public hearing this past week. As you all know, we had, I think, an excellent public hearing where we had excellent testimony from both sides pertaining to the Pittsburgh Marathon in particular and also road races in general in the City of Pittsburgh.

Several people that testified indicated, and one was a doctor, that we are facing a severe potential health hazard by having a marathon start at such a late time, 10:30 a.m., during the month of May. As a result of that

testimony and others that spoke, some of which are race coordinators, I did a little research to determine if that does, in fact, present a health hazard to the runners on that day, with a 26 mile race. The more information that I have found indicates that we, as a City, are jeopardizing ourselves, I think, with a fine event by starting it at a late point in time.

I did some research on temperatures; I called a meteorologist, a well-known local meteorologist, Joe DiNardo. He stated to me what the average temperatures in mid-May would be and he indicated that on rare occasions we have hit the 90's in mid-May. If that, in fact, were to occur on the day of the Marathon, we could have many serious accidents with those runners and could possibly have fatalities.

Last year there were slightly more than 2000 runners in the Marathon. We treated in the field along the race 240 runners. At the end of the race we treated 360 runners. Last year the weather conditions were ideal for running. They were cool, the humidity was down. It started at 10:00, a half hour earlier than is proposed for this year.

What I am saying is that unless we take safety and consider that to be the number one criteria for this race, we as a City are jeopardizing, I think, a fine event.

Just to give you an example of the difference in temperature, and this is the information provided to me by Mr. DiNardo, no matter what the temperature is that day, let's just say, use an arbitrary figure that it's 50 degrees Fahrenheit, at 8:00 in the morning. It is 10 degrees hotter at 10:30. If it's 60 degrees at 8:00 in the

morning, it will be approximately 10 degrees hotter at 10:30. That same ratio of temperature will follow throughout the hours of the day.

So, if you have a marathon race that can be run by the fastest runners in approximately 2 hours and 10 minutes and by the slowest runners probably anywhere from 5 to 6-1/2 hours, what you're saying is that if the race begins at 10:30 a.m. in the morning, the average runner will probably finish about 2:30. The fastest runner will finish about 12:30 and the slowest runner about 4:30. You are in the heat of the day. Not only that, as you know, when you run your body becomes more fatigued. The longer you run, the more fatigued your body becomes and the hotter the day is getting. So, consequently, by moving the start time to an earlier start time, you reduce the potential of health hazards and injuries in the race.

We have a 6 mile race, a 10 kilometer race, the Great Race. We start that race at 9:00 a.m. in the morning. Here we have a 26 mile race we're starting at 10:30.

All this resolution is doing is simply suggesting and requesting, and it's a wish, it's a wish of Council, that the Pittsburgh Marathon Incorporated and the Administration reconsider the start time of this race and move it up from 10:30 to 8:00 a.m. It can be done, it's possible. Notices can be sent out to the people and the people that would be most pleased would be the runners.

For that reason I am requesting your support for this resolution.

Mrs. Masloff:

Mr. President, it's my understanding from the testimony that we heard that day, they told us that they

specifically couldn't start earlier because they couldn't get the volunteers out that early along the line that they needed. It was also my understanding, from what the doctors said, that that was safe. The doctors that testified said that a 10:30 start was safe. They've been nine months in negotiations in coming to this conclusion, the runners, the clergy, the doctors all agreed that this was alright and the reason they didn't start at 8:30 was that they couldn't get people out along the road who volunteered to help. At least that's my understanding of it and that's why they came to the 10:30 time, unless I'm mistaken.

Mr. Grabowski:

I intend to vote against this resolution primarily based on the facts that Sophie just stated. The reason that this race is starting at 10:30 is because there were several months of negotiations with all principles involved and this was the best time derived. And for Council just to merely pass this resolution and say, "Hey, all that work and effort that you people put into this is going to be ignored", I think is inconsiderate of us and I don't think that we should be passing this resolution.

Mr. DePasquale:

As I stated at the meeting, I suffered heat prostration, actually it was on the island of Guadalcanal about 40 some years ago. We had a 20 mile hike with a full pack, what have you, and a high sun, as Bob Prince used to say, and after about an hour or an hour and a half we were dropping like flies.

I certainly agree with Councilman Wagner that if that race starts at 10:30, there's going to be some fatalities or near fatalities if it's a warm day, and the chance is very good it's going to be a warm day.

Mr. Givens:

I think most of the leaders that were in opposition to the race being on Sunday was the fact that it was disturbing the church services. Eight o'clock is ever worse than 10:30 because most services are in the morning hours, primarily between 8 and 12 o'clock, really between 8 and 11 o'clock, getting out at 12. So, by having it at 8 o'clock, we're going to be really inconveniencing the people both coming and leaving most of the church services within the City of Pittsburgh.

The second point is that there's been a lot of advertisement that has gone out on this race. Posters have been printed, material has been distributed. For us at this late hour, only two weeks from the race, coming up and saying that we want to change the hour, I think, is going to cause a tremendous amount of confusion.

The Chair:

Let me just add something, Jack. It is a wish of Council, we have no authority whatsoever, and there has been negotiations. The way I understand it also is that television is involved and it would be very difficult to change now. But it's a wish of Council, that's all it is.

Mr. Wagner:

I'd like to add in response to some of my colleagues' responses, I believe that the official position taken by the Administration to not have road races for 50 weeks out of 52 during the year is in response to the church community and is, in fact, addressing those concerns.

This concern here is an outgrowth of that hearing and I know I heard the physician say at that hearing that we are jeopardizing the health of the runners by

starting at a late time. I believe that if it's the help or the people working in the race, it's just a matter of them getting out there two hours earlier, and I don't think there's a problem in doing that.

Material that has been distributed, if there's 2500 runners, it's a matter of sending out 2500 notices changing the time, and I think that can be corrected. However, I do think the important point here is that the number one issue in this race has to be safety and safety to the runners is what must be paramount and with a late start time, to me, it is not the paramount issue. By moving it up we tremendously reduce the potential of accidents and I think that should be the intent. If in fact we had serious accidents, and we were lucky last year not to have it with 600 people out of 2500 treated, if in fact we had a serious accident, I can think of nothing that would be more embarrassing to all of us with this race. I hope we don't, even if it starts naturally at 10:30 in the morning, but if we approach a day that has an 85 or 90 degree temperature with a runner out there running and not knowing when to stop running, we potentially could have that type of accident and I think for that reason it's important for us as a Council to send a message that we would like to see an early start time.

The Chair:

Jack, would you consider amending this to the year of 1987? We're not going to do anything this year, you know that, I know that; it's set. But I think if you amend it to the year of 1987 you'd probably have a lot more support here and they'd go back and rethink their positions, everyone would rethink their positions. It's just a suggestion.

Mr. Wagner:

Councilman Woods, in 1985 it was 10:00. In 1986, it's 10:30. In 1987 it may be 11:00, I don't know. I'm concerned about this year and I would like to have input, obviously, to next year also. I think by passing this resolution, at the very least, even if it did not have an impact this year, even if the Pittsburgh Marathon Incorporated did not change the time and the Administration didn't change the time, they would know that next year we wanted the time changed.

The Chair:

That's why I was suggesting making it '87.

Michelle Madoff:

It seems to me, if memory serves me well, that these races are run in other cities where the temperature is even hotter, and, while I would like to support my colleague who, I think, his intentions are very well taken, he's concerned first and foremost about the health of the people and that's the people he represents and it's very commendable, the problem really is one of responsibility for oneself. If anybody here were running in a race and I know that — Do I still owe you money for riding the bicycle? Did I pay you?

The Chair:

No, you paid.

Michelle Madoff:

I paid? Okay. When Mr. Woods undertook to bicycle for a charitable cause and he got people to support him, he had to stop when he knew that his health couldn't handle any more, and I think anyone running in a race has to take that responsibility for themselves.

And while I agree that it would probably be more desirable to run when it's cooler, you have no guarantee that the same people running when it's cooler aren't going to be running past the time when it's hot anyway and should be dropping out and not making it an ego situation when their own health is involved. One must take responsibility for oneself and I agree with my colleague, Mr. Woods, it's after the fact. There's nothing we can change at this point and I think the input should be for next year and perhaps something with the Committee to see that they instill in the runners the sense of protecting their own well being for their loved one, not only for themselves.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Wagner
Mr. Pollock	

AYES 3	NOES 5
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VOTING NO:

Mr. Givens	Mrs. Masloff
Mr. Grabowski	Mr. Woods
Michelle Madoff	(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Michelle Madoff:

On another couple of items, Mr. Chairman, it has never been my style to

pretend something isn't happening and to try to sweep something under the rug and since I'm going to be an issue today I would like to address it very briefly.

I understand the Law Department, unbeknownst to me, sent down the claim for my broken arm that took place here in Council. I just want to report in addition to what is here and listed in the letter as to my out of pocket expenses. Attorneys have asked me why I didn't ask for more or go back with a counter offer. I had asked for forty based on out of pocket expenses and on the fact that I will probably have some arthritic problems. Dislocations, unlike breaks, are never the same; they just never heal. I have limited use of my arm; I cannot put my arm behind my back. The public media, newspaper, were here the following day when Brother Richard brought me in and said, "Did we make it better?" In other words, "We were very remiss and hopefully we've corrected the problem." There was no guardrail up when the camera was up. Fortunately, my accident wasn't even more severe; it could have been someone else and it could have been a very large claim against the City.

One item that's not in here, I believe, I just scanned it, is that I did have someone — The reason I was able to go to work immediately was that I hired someone to look after me. She was with me constantly, cut my food, dressed me, bathed me, drive for me. But I also had to change my car. It has a rack and pinion steering and I can't park it, I still don't park very well on the left side of the street so anybody who goes out and sees the car that is never parked right, it's mine if it's on the left side; the right side I do better.

Basically, the \$15,000 takes in almost out of pocket expenses, it was about \$12,000 out of pocket and the rest

is in case I have to go back to a doctor and I have, since I put in the claim, been to therapy at Montefiore on an emergency basis. My record at Montefiore can be checked and I might point out that Marv Fein was my attorney when I was in an accident many years ago where I injured my neck and this arm directly impacts on my neck.

I think the public ought to know the reason I'm settling as low as I'm settling is that I don't want to go to court. I don't want the taxpayers to pay more than just my cost. If it ends up where I have to pay a lot more and I have problems with arthritic or other problems, so be it. But I think I'm taking what I consider a fair and equitable and very considerate role and since that's going to come up I thought I ought to address it.

If anybody would like to talk on that subject fine but I've got another subject.

Mr. Grabowski:

Mr. President, just one comment. I think in light of the testimony that Michelle just gave, you should take it easy on the fines in the future that you impose on her.

Mr. DePasquale:

That reminds me, can I still sue the Marine Corps?

Mr. Pollock:

Can I ask that the testimony that Michelle just gave now be carried over to Wednesday so that we don't have to go through that again on Wednesday?

Michelle Madoff:

New subject. Mr. President, you

had to leave, I believe you had a meeting, when we were discussing the photographer and I believe Mr. Givens was running the meeting. I'm not sure; correct me if I'm wrong. We discussed having a photographer and we battled that, we discussed it back and forth whether we should hire one photographer, whether we should use the photographers that work for the Cable in the City.

My understanding is that I'm to submit my last bill for \$75 for a prior photographer we hired and that those bills would be paid out of "consulting fees" we use for attorneys or consultants or whatever, that are available to all of Council. I'd like clarification but I want to show you some pictures if I may because there are two other subjects that I wish to address and they address the photographs.

The Chair:

Here's what we're going to do. We're going to have our regular monthly meeting of Council in the Conference Room —

Michelle Madoff:

When is that?

The Chair:

As soon as we get this meeting over with.

Michelle Madoff:

Alright but then I'll go on with the issue. I would like to share with my colleagues, if you will quickly pass these pictures along, two subject. The first one is on garbage.

We went out and we hired the photographer and he took some pictures

Downtown and I must tell you that it is still early in the evening. We had Mary Beth Salley sit here and say, "The problem is that I had a baby and we've got these laws on the books and there's no enforcement." I would like to ask my colleagues on a rotating basis whether we would each take turns, because we really care about keeping our City clean, of going down to the magistrate's court when these hearings are being held -- I will personally go to one or two and I'd like the others to do the same -- to reinforce that we really care about what's going on in the City.

I didn't bring the article but I picked up an article this morning about the Schenley Park Oval. It's a pigsty. This is the Downtown part of our City, it's referred to as the living room of our City and Mr. Woods, what happens is when my aide went out to take the photographs, she went out about 5:30 or 6:00 and they were neatly piled. I went back because I had to go to a citizen meeting and I didn't get back until 11:30 at night and I drove around the streets and the garbage was strewn all over the place like a hurricane had hit and the street people were going through the garbage and I saw rats running across the street across from that building down there, what is it, it's like a little mall, a theater mall. Not the Warner but the Warner also had garbage in front of it about a block up.

It's really a terrible problem and I think those pictures save a lot of us the trouble of having to go out.

Mr. Pollock:

Where did you get pictures of my apartment?

Michelle Madoff:

I would very much like the support

of my colleagues that a commitment would be made on a voluntary basis for us to monitor the courts to see that someone is sitting there. I know in the environmental days it was very productive to know that somebody cared representing the community.

You know, laws without enforcement is an exercise in futility and if the Downtown is a pigsty, how can we consider ourselves a beautiful city? That's one item that I just wanted to share with my colleagues.

The other pictures that were taken are equally serious. I'd like everybody to take a quick look at these. Do you recall that I asked somebody to go up and take McArdle; frankly, I don't have good enough pictures of McArdle but it gives you the flavor. I don't know how many millions of dollars were spent on the McArdle Roadway.

I spoke to Mr. McDermott; they are going to be spending more money. He tells me that in the last three years, you know, the McArdle Roadway was under construction or closed down for some seven years. The only major route up to the mountains. When you go up that road it's an embarrassment. Mr. McDermott says that in the last three years, for some peculiar reason, the street has deteriorated faster than usual.

We have a problem with drainage. It seems that the roads were supposed to be cleaned out. I guess the catch area behind this wall, which is not really a retaining wall but just to keep boulders from going down, if you look at one of those photos you're going to see a boulder sitting right on top of the wall. If that boulder rolls over, somebody is going to get killed, somebody is going to get their car hurt. The damage to us, because we're the taxpayers, is a lot more than \$15,000.

I have some great concerns about why, in the planning of that bridge, this Council did not take a more active role to see what was really going to happen. You know, we get a snow job. But I don't understand the logic. Can anyone here explain the logic of not doing the street at the same time, repaving in the last months. It would have been easier, cheaper, the equipment is there, it would have been done, it would have looked great. Item one.

Item two, having the water from PennDOT being captured in the winter and going over the hill, causing this erosion, this accelerated damage. We already have a lawsuit and they come to the City when it's not out fault; it's PennDOT's fault. We still have the drainage problem or the pipes that are plugged up and they're going to be constantly filled up and it's a really serious problem. But the most important thing is that we've spent millions and we're going to go back and spend hundreds of thousands more and obviously that street and the bridge is going to have to be closed down even for a few hours now and again, for days on end. I don't understand how that could be allowed to happen and I would appreciate it if somebody would do something about it. I think probably the thing to do is a post agenda; what do you think, Mr. President?

The Chair:

I think we should have a post agenda on it.

Michelle Madoff:

Okay but we've asked for material and it's being coalated. Should we send a letter then to Mr. McDermott and Lou Gaetano and Dan Pellegrini asking for a post agenda at the earliest time that the materials are available, not to exceed,

say, one month from now on a Wednesday?

The Chair:

Mike, will you handle that?

Michelle Madoff:

Thank you very much. And I would like my letter, we have one month, I believe, on the refuse problem, we're supposed to get our feedback as to how the claims are going, what the courts say, how they're citing, and whether the same people are causing the same problem again, the garbage problem.

So, those two issues will be before us within the next month and I really ask that Council take them very seriously.

Mr. DePasquale moved to excuse Mr. O'Malley for absence from the meeting.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. DePasquale moved to approve the Minutes of Monday, March 17, 1986, Monday, March 24, 1986, Monday, March 31, 1986, Monday, April 7, 1986, and Monday, April 14, 1986.

Mr. Givens seconded the motion.

Which motion prevailed.

And on the motion of **Mr. DePasquale**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Monday, May 12, 1986

No. 19

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk
Pittsburgh, PA
Monday, May 12, 1986

PRESENT:

Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

ABSENT:

Mr. DePasquale
Mr. Grabowski

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

We're going to defer from our regular order of business today for a moment. We have a resolution. Ms. Madoff?

Michelle Madoff:

We have with us today a very esteemed honored guest, Mr. Hazo. He's a distinguished poet, he's brought to our City as well as Washington, D.C. a series of the most important contemporary poems written in English or translated into English.

Mr. Hazo, over the past two decades, you have included such well known individuals as Princess Grace of Monaco, the Russian Poet, Yevgeni and the great American writer, James Dickey and jazz singer, Cleo Lane.

We at City Council are pleased to honor you today with this resolution and to recognize the force you've exerted in creating a different dimension of cultural life in Pittsburgh. Please stay here in our community and continue your fine work.

Michelle Madoff presents

No. 824 WHEREAS, Dr. Samuel Hazo, Professor of English at Duquesne University, founded the International Poetry Forum in Pittsburgh in 1966; and

WHEREAS, Dr. Samuel Hazo, for the past two decades, has provided an opportunity where "people could appear

and speak without censorship of any kind", and;

WHEREAS, the creation of the International Poetry Forum has enhanced the quality of cultural life in Pittsburgh by presenting poetry, not only to those in a university setting, but to ordinary men and women in a public place; and

WHEREAS, Dr. Samuel Hazo, by bringing poets and writers from all over the world to Pittsburgh and by receiving recognition for his own poetry, has become a cultural ambassador for our City; and

WHEREAS, Dr. Samuel Hazo, in April 1986, received the Theodore L. Hazlett, Jr. Award for Excellence in the Arts in Pennsylvania in the field of literature.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh, join in offering our congratulations to Dr. Samuel Hazo for his outstanding cultural contributions to our community.

Michelle Madoff moved to adopt the resolution.

Mr. Givens seconded the motion.

Which motion prevailed.

Michelle Madoff:

I'd like to ask Mr. Hazo to say a few words. He has written a book which is about to come out in publication called "The Pittsburgh That Starts With You". This is some of the excerpts, the beginning of it. There are already three or four thousand copies already in order.

I would like to have his brother, Robert Hazo, please rise to be recognized. I don't believe that your

wife, Marian Hazo, is here as yet. She couldn't park, right? She would have been towed. I had hoped that Judge Barry would be here; he sends his deepest respects. He wanted to be with us and was very excited that you were getting this resolution.

Dr. Hazo:

The first thing I would like to do is to thank Michelle and Judith Aaronson and the members of the Council for the resolution.

As I was waiting in Mrs. Madoff's office she said to me, "You might be asked to say a few words." So I had from the time we left her office until I arrived here time to think of what I wanted to say. One has to be careful politically about what one chooses to say.

I have been working on a book about the City of Pittsburgh and in it there is a brief comment about a small bronze bust that is on the main floor of this building. It's of a local official, years ago, named William Flynn. You have to look hard to find it. But that bust was done by a Russian sculptor who also did the main statue for the New York World's Fair in 1936 and many, many other things. He has since died but I had occasion to meet him before he died at the age of 82 on West 62nd Street in New York. This is a man, by the way, who knew Rasputin, he knew him. It's not often you meet somebody like this. So, he said, "They asked me if I'm a Democrat or a Republican." He said, "I'm a Monarchist. I pledged my allegiance to the Czar and he never released me."

I'm not a Monarchist, I'm just a citizen of the State of Pennsylvania and, in that capacity, I thank you very much for this honor. Thank you.

Mr. Givens for Mr. DePasquale presented

No. 787 Resolution amending Resolution No. 196, effective March 19, 1986, entitled: "Providing for a Contract or Contracts, or use of existing Contracts for Replacement of Windows at Fire Stations No. 10, 12, 13, and 14 and Police Station No. 4; and providing for the payment of the cost thereof," by increasing the total project allocation from \$60,000.00 to \$76,000.00.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

No. 788 Resolution providing for the issuance of a warrant in favor of Trumbull Corporation (Perry J. Dick, President) in the amount of \$29,322.40 in payment of Extra Work, being in addition to the original contract price of \$4,083, 511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street - Phase I, payable from the Grant Street Trust Fund. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Mr. Givens presented

No. 789 Resolution providing for the issuance of a warrant in favor of

Louis J. Viglione, Inc., in the amount of \$17,967.00 in payment for an Emergency Sewer Contract furnished for the benefit of the City in connection with the repair of a dangerous sewer condition on Old Banksville Road in the 20th Ward, chargeable to and payable from Code Account PW 84-29, Emergency Sewer Replacement. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 790 Resolution providing for a Contract or Contracts, or the use of existing Contracts for traffic signal installation at various locations within the City of Pittsburgh at a cost not to exceed \$199,798.93, chargeable to and payable from Code Account PW 85-03, Signals at Various Intersections - \$24,798.93 and Code Account PW 86-03, Signals at Various Intersections - \$175,000.00.

Also,

No. 791 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for furnishing, installing, removing and relocating certain electrical equipment necessary for Street Lighting in the City of Pittsburgh at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account PW 86-08, Street Lighting Throughout the City.

Also,

No. 792 Communication from Louis Gaetano, Director, Department of Public Works, requesting authorization for Ellen Clair to attend the annual conference of the National Federation of Local Cable Programmers in San Francisco, California from July 10-12,

1986 at a cost not to exceed \$1,025.00, payable from the Community Communications Trust Fund.

Which were severally read and referred to the Committee on Public Works.

Mr. Givens for Mr. Grabowski presented

No. 793 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts, for various public buildings maintenance services at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account (GS8603), Bureau of Repairs & Operating Maintenance, Department of General Services.

Also,

No. 794 Resolution providing for proposed resolution for the amendment of Resolution No. 1283 of 1985, entitled: "Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program, by increasing a line item and adjusting the Summary Totals.

Which were read and referred to the Committee on General Services.

Michelle Madoff presented

No. 795 Resolution providing for an Agreement or Agreements for a Supervisory Update Program for Water Department personnel at a cost not to exceed \$1,250.00, chargeable to and payable from Code Account No. 1922, Miscellaneous Services, Department of Water.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 796 Resolution providing for authorization to enter into an Agreement or Agreements with a Consultant for the purpose of reviewing, recommending and implementing revenue generation at various facilities within the Department of Parks and Recreation at a cost not to exceed \$35,000.00, chargeable to and payable from Code Account No. 1801, Miscellaneous Services, Department of Parks and Recreation.

Also,

No. 797 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Roberta Greenspan to attend a "Seed-Saving Seminar" in Accokeek, Maryland on May 5, 1986, at a cost not to exceed \$50.00, payable from the Frick Park Trust Fund. (PRIOR APPROVAL GRANTED)

Also,

No. 798 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for herself to attend the President's Commission on Americans Outdoors in Baltimore, Maryland from May 28-30, 1986, at a cost not to exceed \$950.00, payable from Code Account No. 1801, Miscellaneous Services.

Also,

No. 799 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Robert A. Wagner, VMD, to attend the Association of Avian Veterinarians Annual Conference in Miami, Florida from June 16-20, 1986, at a cost not to exceed \$950.00, payable from Code Account No. 1852, Miscellaneous Services.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 800 Resolution providing for a Professional Services Contract or Contracts, or to use existing Professional Services Contracts for the development, design, printing, publication, delivery, implementation and/or distribution of public relations, marketing and recruitment materials, strategies or plans of action for the City of Pittsburgh's Job Training Partnership Act Programs at a cost not to exceed \$50,000.00, chargeable to and payable from the JTPA-1 Trust Fund, federal funds.

Which was read and referred to the Committee on Finance.

Mr. O'Malley moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 801 Resolution providing for the sale of property or properties, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 802 Communication from Richard S. Caliguiri, Mayor, requesting authorization for Jean Sickie to attend the annual conference of National Association of Commissions for Women, held in Chicago, Illinois, June 17-21,

1986, at a cost not to exceed \$1,000.00, payable from Code Account No. 1021, Miscellaneous Services.

Also,

No. 803 Communication from Ronald C. Schmeiser, Director, Department of Finance, requesting authorization for Charles Murphy, Robert Smulski and Judy Gula to attend the "How to Supervise People" seminar at the Westin William Penn Hotel on May 27, 1986, at a cost not to exceed \$177.00, payable from Code Account No. 1063, Miscellaneous Services, Department of Finance.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 804 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any in and to the publicly owned properties in the 26th Ward of the City of Pittsburgh designated as Block and Lots: 46-J-140, 46-J-141, 46-J-143 (406 Chautaugua Street) in the Deed Registry Office of Allegheny County for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The property, vacant land, is being acquired for Resale to a developer. The developer will use the property as a site for New Construction.

Also,

No. 805 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any

in and to the publicly owned properties in the 10th Ward of the City of Pittsburgh designated as Block and Lots: 50-H-214, 50-H-215 (432 Wicklow Street) in the Deed Registry Office of Allegheny County for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The property is being acquired by the URA for the purpose of assembling a housing site for the construction of a new single-family dwelling unit. The site is presently being marketed to potential buyers by the Bloomfield-Garfield Corporation.

Also,

No. 806 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any in and to the publicly owned properties in the 21st Ward of the City of Pittsburgh designated as Block and Lots: 22-G-85, 22-G-86 (1008 Kirkbride Street) in the Deed Registry Office of Allegheny County for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The property, a vacant structure, is being acquired for Resale to a developer. The developer will be required to rehab the structure up to Building Code standards.

Also,

No. 807 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Andrew A. Lang, Jr., designated as Block and Lot 22-G-91

(1018 Kirkbride Street) in the Deed Registry Office of Allegheny County for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The property, a vacant structure, is being acquired for Resale to a developer. The developer will be required to rehab the structure up to Building Code standards.

Also,

No. 808 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Theodore J. Hildebrand, designated as Block and Lot 22-G-93 (1022 Kirkbride Street) in the Deed Registry Office of Allegheny County for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The property, a vacant structure, is being acquired for Resale to a developer. The developer will be required to rehab the structure up to Building Code standards.

Also,

No. 809 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Wilford R. McCoy, designated as Block and Lot 22-G-94 (1024 Kirkbride Street) in the Deed Registry Office of Allegheny County for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant

Property Review Committee and the Planning Commission of the City of Pittsburgh. The property, a vacant structure, is being acquired for Resale to a developer. The developer will be required to rehab the structure up to Building Code standards.

Also,

No. 810 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Alice Blackwell, designated as Block and Lot 22-P-280 (1331 Stedman Street) in the Dead Registry Office of Allegheny County for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The property, a vacant structure, is being acquired for Resale to a developer, who will demolish the structure and develop the lot for off-street parking.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 811 Resolution Repealing Resolution No. 357 of 1986, approved April 25, 1986, entitled: "Resolution providing for an Agreement or Agreements with a Consultant for professional services in connection with the establishment of an Office of Professional Responsibility within the Department of Public Safety at a cost not to exceed \$26,000.00, chargeable to and payable from the Department of Public Safety Third Party Payor Trust Fund (DPSTPPTF)." --- (SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Public Safety.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Pollock seconded the motion.

Which motion prevailed.

Also,

No. 812 Resolution providing for the issuance of a warrant in favor of Eczel, One Zesta Drive, Pittsburgh, PA 15205 in the amount of \$324.56, in payment for Computer Ribbons, chargeable to and payable from the Department of Public Safety, Bureau of Emergency Medical Services Code Account (EMNEAS).

Also,

No. 813 Resolution providing for the issuance of a warrant in the amount of \$34,440.00 in favor of James Karis Inc., 3215 W. Carson Street, Pittsburgh, PA 15204, for payment of contracts for the demolition and removal of 5 - 2 story brick dwellings and 1 - 2-1/2 story brick dwelling located at 821-23-25-27-29-31 Bryn Mawr Road, 5th Ward, chargeable to and payable from Code Account Capital Project Funds, FD 85-01. (PRIOR APPROVAL GRANTED)

Also,

No. 814 Resolution providing for the issuance of a warrant in the amount of \$6,000.00 in favor of James Karis Inc., 3215 W. Carson Street, Pittsburgh, PA 15204, in payment for removal of personal belongings and shoring up the front walls at 830-838 Bryn Mawr Road,

5th Ward, chargeable to and payable from Code Account DTF (Demolition Trust Fund), Pittsburgh National Bank, STF #2.

Which were severally read and referred to the Committee on Finance.

Also,

No. 815 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase and delivery of chairs for the Department of Public Safety, Bureau of Administration, Communications Section, at a cost not to exceed \$10,500.00, chargeable to and payable from the Department of Public Safety, Bureau of Administration Code Account (DPSTPP).

Also,

No. 816 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase of office furniture for the Offices of General Inspections; Office of Professional Responsibility and the General Offices at a cost not to exceed \$40,000.00, chargeable to and payable from the Department of Public Safety Code Account (DPSTPP).

Which were read and referred to the Committee on General Services.

Also,

No. 817 Communication from John Norton, Director, Department of Public Safety, requesting authorization for Police Officer LaVata Foster to attend the National Crime Prevention Institute Retraining Seminar in Louisville, Kentucky from June 22-25, 1986, at a cost not to exceed \$800.00, payable from DPSTPP, Bureau of Police.

Which was read and referred to the Committee on Public Safety.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 818

Report of the Committee on Finance for May 7, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 702

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company (Charles DiNardo, Vice President) in the amount of \$42,473.43 in payment of Extra Work, being in addition to the original contract price of \$208,292.50 on Controller's Contract No. 27831, furnished for the benefit of the City in connection with the Penn Avenue 20" Cement Lining Project; and providing for the payment thereof."

Which was read.

Also,

Bill No. 707

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Astec Industries, Inc. in the amount of Two Thousand Five Hundred Ninety Nine (\$2,599.00) Dollars in payment for the repair and recalibration of one (1) Brodie Stack that is used in conjunction with an AD500 computer and the repair to one (1) Load Cell; both repairs needed for the daily operation of

the Asphalt Plant Division of the Department of Public Works and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 717

A Resolution entitled, "Resolution providing for the issuance of a \$3,000.00 warrant in favor of Stanley & Maudine Drummond in settlement of claim for property damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 718

A Resolution entitled, "Resolution providing for the City Controller to enter into a Contract or Contracts, or

for the use of existing Contracts, to purchase additional memory and accessories for the existing Honeywell Computer."

Which was read.

Also,

Bill No. 719

A Resolution entitled, "Resolution Repealing Resolution No. 216, approved March 18, 1986, effective March 21, 1986, entitled: 'Authorizing and directing the Director of the Department of Finance and the City Controller to establish a Trust Fund to be known as the Business Development Trust Fund (BDTF); and authorizing the deposit of funds for economic development from the repayment of funds advanced by the City of Pittsburgh to the Stadium Authority of the City of Pittsburgh.'"

Which was read.

Also,

Bill No. 720

A Resolution entitled, "Resolution Repealing Resolution No. 217, approved March 18, 1986, effective March 21, 1986, entitled: 'Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to provide funds for the making of loans in connection with the Urban Redevelopment Authority's Business Reinvestment Fund in the amount of \$20,000,000.00, payable from the Business Development Trust Fund.'"

Which was read.

Also,

Bill No. 721

A Resolution entitled, "Resolution authorizing the City of Pittsburgh to enter into an Agreement or Agreements with The Ruhlin Company, Northshore Associates and the Urban Redevelopment Authority of Pittsburgh, whereby the City shall grant to The Ruhlin Company the rights of entry upon, use & access across certain riverfront property in the 22nd Ward, designated as Block 8-J, Part Lot 98, for the purpose of installing, at no cost to the City, an underground drainpipe as part of the North Shore Expressway Project."

Which was read.

Also,

Bill No. 722

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Finance Department, on behalf of the City of Pittsburgh, County of Allegheny and School District of Pittsburgh to transfer its rights, title and interest, if any, for certain Three Taxing Bodies' properties in the 24th and 26th Wards of the City of Pittsburgh to Pennsylvania Department of Transportation. Deeds to be in Quit Claim form for a total consideration of \$14,510.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 730

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Seymour Graphics, 704 Second Avenue, Pittsburgh, PA 15219 in the amount of \$1,717.00 in payment for Printing Services furnished for the benefit of the City without previous authority of law, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the

bill passed finally.

Also,

Bill No. 755

A Resolution entitled, "Resolution transferring the sum of \$150,000.00 One Hundred Fifty Thousand Dollars, From Code Account No. 1167, Index Code 116707, Wages, Regular Employees, Department of Environmental Services, To Code Account No. 1160-1, Index Code 116012, Premium Pay, Department of Environmental Services."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 767

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of C. Lindquist Associates, P.O. Box 7907, 3075 West Liberty Avenue, Pittsburgh, PA 15216, in the amount of

\$788.90 in payment for photographic services supplied to the Mayor's Office."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 819

Report of the Committee on Public Works for May 7, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 708

A Resolution entitled, "Resolution granting unto Haagen-Daz Ice Cream Shoppe, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a Sidewalk Cafe in a portion of

the sidewalk of Bellefonte Street in the 7th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 709

A Resolution entitled, "Resolution granting unto Construction Tool Service, Inc., their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Raised Planted Area and Steps on a portion of the sidewalk of 3500 Liberty Avenue in the 6th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 820

Report of the Committee on Planning,

Housing and Development for May 7, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 729

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(26) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for authorization to the Rehabilitation Institute to expand into five (5) residential structures located at the corner of WILKINS and DENNISTON AVENUES for related office space with seventeen (17) parking stalls, 14th Ward."

Which was read.

Also,

Bill No. 731

A Resolution entitled, "Resolution amending Resolution No. 806, effective August 23, 1985, entitled: 'Providing for an Agreement or Agreements with the Washington Heights Athletic Association for the City's share in the construction of a facility to be used for the organization's programs,' by changing the source of funds." —(SPONSORED BY MR. POLLOCK)

Which was read.

Also,

Bill No. 732

A Resolution entitled, "Resolution amending Resolution No. 789, effective August 23, 1985, which presently reads: 'Providing for an Agreement or

Agreements with the Hazelwood/Glenwood/Glen Hazel Council, Inc. located at 4910 Second Avenue, Hazelwood, and the Urban Redevelopment Authority, for the rehabilitation of a vacant public building located on Second Avenue for use as a Senior Citizens Center,' so as to increase the project allocation from \$100,000.00 to \$280,000.00 and include the Department of Engineering and Construction."

Which was read.

Also,

Bill No. 733

A Resolution entitled, "Resolution amending Resolution No. 795, effective August 23, 1985 entitled: 'Providing for an Agreement or Agreements with the Spring Garden Neighborhood Council and/or the Esplan Citizen's Council for capital assistance improvement programs, in an amount not to exceed \$100,000.00,' so as to remove the Spring Garden Neighborhood Council 'and reduce the appropriation from \$100,000.00 to \$50,000.00.'"

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 821

Report of the Committee on Parks and Recreation for May 7, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 712

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contracts for the repair of various facilities within the Department of Parks and Recreation; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 713

A Resolution entitled, "Resolution providing for authorization to enter into an Agreement or Agreements with Bedford Springs Festival Orchestra for the July 4th Evening Musical Presentation in conjunction with the Department of Parks and Recreation, Special Events & Cultural Affairs Summer Programs and providing for the cost thereof, at a cost not to exceed the amount of Nine Thousand (\$9,000.00) Dollars from Code Account 1837, Index Code 183707 City Wide Events, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 822

Report of the Committee on Public Safety for May 7, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 736

A Resolution entitled, "Resolution providing for a Contract or Contract from time to time in connection with the demolition and removal of condemned buildings and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens for Mr. DePasquale presented

Bill No. 823

Report of the Committee on Engineering and Construction for May 7, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 703

A Resolution entitled, "Resolution amending the Title and Section 1, 2, and 3 of Resolution No. 123, approved February 19, 1986 effective February 24, 1986, entitled: 'Permission to enter into an Agreement or Agreements with Calvary Cemetary Relating to the Construction and Maintenance of a Traffic Signal on Cemetary Property Along Browns Hill Road in the 15th

Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 704

A Resolution entitled, "Resolution amending Resolution No. 736, effective September 6, 1983, entitled: 'Providing for an Agreement or Agreements with GeoMechanics, Inc. for Engineering Services in connection with the Design of the Rehabilitation of the Monongahela Incline Support Wall; and providing for the payment of the cost thereof,' by providing for a Supplemental Agreement or Agreements and by increasing the total project allocation by \$8,000.00."

Which was read.

Also,

Bill No. 705

A Resolution entitled, "Resolution providing for a Contract or Contracts for Sidewalk Construction and Reconstruction at various locations in the Spring Garden Neighborhood, including work on private property and other work incidental thereto; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff presents

No. 825 WHEREAS, the loss of 120,000 jobs in Western Pennsylvania has resulted in an unemployment rate of 9.9% for white workers and a devastating 34.5% for black workers; and

WHEREAS, current attacks on affirmative action by the Reagan Administration is a major area of concern for black trade unionists and black workers because many employees no longer feel compelled to employ them; and

WHEREAS, the Mayor of the City of Pittsburgh proclaimed Saturday, May 3, 1986 as COALITION OF BLACK TRADE UNIONISTS DAY to focus attention on the unemployment of black workers throughout Western Pennsylvania; and

WHEREAS, the historic conference sponsored by the Coalition of Black Trade Unionists, the first of its kind in the history of Pittsburgh, successfully educated, informed, and brought attention to the contributions of black trade unionists and workers in Western Pennsylvania.

NOW, THEREFORE, BE IT

RESOLVED, that the Council of the City of Pittsburgh hereby recognizes this successful and historic conference sponsored by the Coalition of Black Trade Unionists to raise public awareness of the black worker in the labor movement and in our community.

Michelle Madoff moved to adopt the resolution.

Mr. Givens seconded the motion.

Which motion prevailed.

Michelle Madoff:

I have a couple of items, Mr. President. I happened to be speaking to Malcolm Prine about security at the Stadium and he has asked to see what we can do as a body to provide security, not inside the Stadium, not on the area where the company that runs it is looking after the security, but to do security for people who are going to their cars afterward. There was an episode that could have been much more serious than it was. There was a mugging on the way to a car.

I don't know, and I don't know if anybody else on this Council knows, what is the status of the number of police that we have right now. I know we're 105 police below minimum security. I know that we put on a class of 40 and we lose 50 by attrition. I know that we have police officers on vacation, we have police officers on workmen's comp, we have police officers with vehicles down so they're not out doing their thing.

I know we're going to revamp the Police Department but wouldn't it be nice if the elected officials were informed as to what the plans are? I would like very much to hold a post agenda to get that information.

The Chair:

I'm sure Mr. Wagner would do that for us. But I suggest that Malcolm Prine, if he has any problem with security and the police over at the Stadium, that he take it directly to the Administration and to the Stadium Authority.

Michelle Madoff:

I'm repeating this, this is not police in the Stadium. The City of Pittsburgh has its own police, named City of Pittsburgh Police. And I don't think that the Stadium Authority has the authority to get City of Pittsburgh Police. That's something we have to do here.

The Chair:

We don't have the authority either, the Administration does and that's why I suggest that Malcolm Prine go right to the Administration.

Michelle Madoff:

I still think if the support came from this Council it would not be detrimental. It might help the Administration understand what the problems are.

On another matter, as you may recall, last week we took some photographs, which we circulated, of garbage in the Downtown area. I requested to get some idea of what kinds of fines were being levied against various entities and it seems that the following cases heard in Housing Court on May 5th, the penalties imposed were: Lloyd's Youth Center, I don't know who they are but they got a \$25 fine and costs of \$23.50; Weiner World, which I believe is in Oakland, got \$25 and costs of \$23.50; Joseph Ella Zwiskey for dumping, there's a \$100 fine, the same costs; Applebee's, four different cases and the total was

\$97, four different cases; Hite's Drugstore was dismissed and picked up by the City; Mr. K \$25, who's Mr. K, and \$23.50 for costs; Fotohut, \$25 and \$23.50 costs; and the Fulton Building, the big Fulton Building, \$50 with \$23.50 costs; and the City Club \$200 with \$23.50 costs.

I don't know how many times these people were cited. A \$25 fine is a slap on the wrist. I would like to know why one was fined \$200 and another one \$100. It would be very interesting to me. And I would like to see what is going to happen with the rest of the citations because we plan to go down and take more pictures in a couple of months. We'll give them two or three months to clean up the act, see that they're cited, and then go back Downtown and see if there's any improvement. \$25 is cheaper to pay than to get it cleaned up and that's the sad part.

Mr. Wagner:

Mr. President, I'd just like to respond to the security issue. We are sitting without information as to the future of the Police Bureau and I think that's information that all Councilmembers would like to know, including myself. If I knew that I would relay that information to you but I'm not aware of it.

I would like to say, though, that I may be suggesting some ways in the future to address that problem. In particular, the problem at the Stadium, this Council discussed a year ago when there was a stabbing on the Fort Duquesne Bridge and the need for increased security around the Stadium. I believe the suggestion was made at that time that we better utilize police officers around the circumference of the Stadium, particularly at the four gates,

and we suggested not only an officer outside of each of the four gates but also an officer on the other side of the bridge at Point State Park.

A further suggestion was made to better utilize canine dogs because they are so effective with crowd control and they are a deterrent to crime, especially in those types of situations.

So, Councilwoman Madoff, I'm not certain if you would like to again suggest that idea but we did a year ago and I think it would be good for this Council to make a similar recommendation this year.

Michelle Madoff:

I think the issue is much broader, I think it's time that we held a public hearing, cablevised, and we get some really committed answers to what's going to happen with our Police Department. I don't think anybody knows and I think it's really disgraceful that when we go out to speak and I get asked questions all the time, I can't answer them.

Michelle Madoff moved to excuse Mr. DePasquale and Mr. Grabowski for absence from the meeting.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Wagner moved to approve the Minutes of Monday, April 21, 1986 and Monday, April 28, 1986.

Mr. Givens seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Monday, May 19, 1986

No. 20

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA

Monday, May 19, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

We have a presentation from Maribeth Salley Russuto on the Clean City Committee.

Ms. Russuto:

Good afternoon ladies and gentlemen. Thank you for this opportunity to make the presentations today. What we are doing is, we are making presentations on the Council Challenge Program which was operated during Keep America Beautiful Week and of the nine Councilmembers, four members of this City Council participated and I would like to thank all of you for your participation and your volunteers as well as your own individual staffs did a marvelous job of putting it together and it was extremely successful.

The program, as you are aware, was sponsored by Heinz USA and Westinghouse. They were so pleased with the results and the level of participation that they would like to make this an annual event. So, we will look forward to working with all of you next year on the Council Challenge Project.

On to the awards and presentations. We'll start with the bottom and work to the top.

The fourth place winner in this year's contest is Sophie Masloff for her participation in Hazelwood. And for the participation you will receive one trash receptacle to be placed in the business community of your choice. All of the plaques will have the Councilmember as well as the Heinz USA and Westinghouse logos on them.

The third place winner is Councilman Grabowski for his efforts on Crane Avenue in Beechview. You will receive two receptacles for the business district of your choice.

The second winner is Council President Ben Woods. Mr. Woods, for his efforts in Esplen, will receive three cans with your logo on it for the location of your choice.

Of course you all know now who the big winner is. It's Councilman Dick Givens and certainly one of the things that the judges from Heinz and Westinghouse took into consideration was the amount of public and community activity that you have involved in your individualized programs. Mr. Givens, for those of you who don't know, used the "It's a crime to mess up a beautiful City" logo and posters throughout the community on the day of his events and he did his event centering around the Doughboy Statue.

Again, I thank you all for your participation this year and look forward to working with the rest of you next year. Thank you.

Michelle Madoff:

Discussion. Question. I'm just curious. Do you have the report ready for us on the --

The Chair:

Michelle, you are out of order.

Michelle Madoff:

I just want to know --

The Chair:

No. You are out of order.

Thank you very much, Maribeth.

Mr. DePasquale presented

No. 826 Resolution amending Resolution No. 835, effective September 19, 1985, entitled: "Providing for a Contract or Contracts, or use of existing Contracts, for the Fall Street Tree Planting Program at various Community Development locations within the City of Pittsburgh; and providing for the payment of the cost thereof," by increasing the total project allocation from \$50,000.00 to \$65,000.00.

Also,

No. 827 Resolution further amending Resolution No. 1150, effective January 1, 1985, as amended, entitled, "Resolution adopting and approving the 1985 Capital Budget and the 1985 Community Development Block Grant Program; and approving the 1985 through 1990 Capital Improvement Program," by correcting a code account, increasing a line item and adjusting the Summary Totals.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Depasquale moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 828 Resolution providing for the issuance of a warrant in favor of Trumbull Corporation (Perry J. Dick,

President) in the amount of \$45,443.47 in payment of Extra Work, being in addition to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street - Phase I, payable from the Grant Street Trust Fund. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Mr. Givens presented

No. 829 Resolution providing for the letting of a Contract or Contracts, for the design, lease purchase, and installation of high pressure sodium street lighting for the Department of Public Works, for a period not to exceed five (5) years at a cost not to exceed \$600,000.00, chargeable to and payable from Code Account 1545, Street Lighting and amounts appropriated from time to time in succeeding calendar years.

Also,

No. 830 Resolution granting unto Peoples Natural Gas Company, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, Four (4) Vaults to replace existing vaults on a portion of the sidewalks of Beechwood Boulevard, Aylesboro Avenue, Reynolds Street, and So. Linden Street in the 14th Ward, City of Pittsburgh.

Also,

No. 831 Resolution granting unto Carnegie-Mellon University, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a 54" Steam Line across a portion of the Right of Way of S. Dithridge Street in the 4th Ward of the City of Pittsburgh. This request is

made by Carnegie-Mellon University so that they can get steam from Carnegie Institute to Software Engineering Institute Building.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 832 Resolution providing for the issuance of a warrant or warrants in favor of Duquesne University in the amount of \$40,000.00 for the Maintenance Management Seminar due to time constraints imposed in securing the appropriate personnel, payable from Code Account 1142, Miscellaneous Services, Department of General Services.

Which was read and referred to the Committee on Finance.

Mr. O'Malley presented

No. 833 Resolution transferring \$1,412,250.00 from Code Account 1457-9, Worker's Compensation, Police Bureau, Department of Public Safety and \$1,695,000.00 from Code Account 1470-9, Worker's Compensation, Fire Bureau, Department of Public Safety, to Code Account 1402-9, Worker's Compensation, Administration Bureau, Department of Public Safety. This transfer is necessary to cover the cost of indemnity and medical payments to those retired police officers and firefighters who are receiving total permanent disability payments. It is this department's intent to isolate those charges for these individuals who are no longer active employees, within one code account.

Which was read and referred to the Committee on Finance.

Mr. O'Malley moved to suspend Rule 8 by

providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 834 Resolution providing for the issuance of a \$1,175.00 warrant in favor of The Borough of North Braddock in settlement of claim for vehicle damage by a Department of Refuse vehicle, payable from Code Account No. 46, Judgments.

Also,

No. 835 Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Federal Mediation and Conciliation Service for a grant or grants in connection with the Labor Management Programs at a cost not to exceed \$120,000.00.

Also,

No. 836 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for consulting services to assist the City of Pittsburgh as a Washington, D.C. liaison and to work with various agencies of government for the benefit of the City of Pittsburgh, effective June 1, 1986, at an aggregate cost not to exceed \$16,000.00, payable from Code Account No. 1017, Mayor's Office, Miscellaneous Services.

Also,

No. 837 Resolution amending No. 1230, Items E, G, & J, approved December 27, 1985, which authorized the

sale of properties in Wards of the City of Pittsburgh. All of the properties are vacant lots. The reason for the above Amendment is to correct the Lot sizes in the respective sales.

Also,

No. 838 Resolution amending Res. No. 202 E, approved March 19, 1986, which authorized the sale of property in the 17th Ward, being a vacant lot at 20-22 Enon Way, designated as Block 3-M, Lot 332, to Robin F. Grimm & Josephine Stenger, for the sum of \$750.00. The reason for the above Amendment is to correct the Plan lot numbers from 11-12 to Parts 11-12.

Also,

No. 839 Resolution amending Res. No. 109, Item B, approved February 17, 1986, which authorized the sale of property in the 5th Ward, being a vacant lot, located at 2217 Centre Avenue, designated as Block 10-P, Lot 122 A, to Cleveland P. Bates, for the sum of \$750.00. The reason for the above Amendment is to correct the Plan Lot number from Lot 89 to Part Lot 89 on both the Proposal and the Resolution.

Also,

No. 840 Resolution amending Res. No. 1230, Item K, approved December 27, 1985, which authorized the sale of property in the 20th Ward, being lots located at 522 S. Main and Violet Way, designated as Block 19-D, Lot 234, to Fred A. Niepp, Jr. and Sherry B. Niepp, his wife, for the sum of \$1,000.00. The reason for the above Amendment is to correct the name of the former owner from Eileen Niepp to Ellen Niepp. (Not a relative-former wife).

Also,

No. 841 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Dave Farley to attend the regular meeting of the Pennsylvania Service Delivery Area Association in Harrisburg, PA on May 29, 1986, at a cost not to exceed \$350.00, payable from JTPA-1 Trust Fund, federal funds. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 842 Resolution approving a Conditional Use Exception under Section 993.01(a)A(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, to the Podiatry Hospital of Pittsburgh for authorization to construct a two-story extension to the existing structure located at 215 SOUTH NEGLEY AVENUE, 8th Ward.

Also,

No. 843 Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performances of certain work in connection with the 1986 Community Development Block Grant Program at a cost not to exceed \$8,229,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program Trust Fund.

Also,

No. 844 Resolution providing for the execution of a 1986 City Planning Department Community Block Grant Program Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh pursuant to which the Urban Redevelopment Authority of Pittsburgh

will undertake the following program in connection with the 1986 Community Development Block Grant Program at a cost not to exceed \$120,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program Trust Fund - CP86-03 URA Planning and Management - \$120,000.00.

Also,

No. 845 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Hill Phoenix Associates for the sale of Parcels 63 and 64 (Hill Phoenix Shopping Center), for the sum of \$150,000.00, in the 3rd Ward of the City of Pittsburgh in Redevelopment Area No. 31. The redeveloper plans to renovate the existing Hill Phoenix Shopping Center. The redeveloper is a joint venture of the Hill Community Development Corporation and Specialized Housing Development Corporation III, Inc. The officers of the Hill Community Development Corporation are: R. Darryl Ponton, Esq., Chairman; William Pryor, Jr., Vice-Chairman; John Bullock, Jr., Secretary; James Holmes, Treasurer; Wilbert Young, Executive Director. John Conley is the President of Specialized Housing Development Corporation III, Inc.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 846 An Ordinance amending the Pittsburgh Code, Title One, Administrative, Article XI, Personnel, Chapter 191, Retirement and Severance Pay, Section 191.06, Compulsory Retirement, by changing the compulsory retirement age for firemen and policemen from sixty-five (65) to sixty-

eight (68) years of age.

—(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Public Safety.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Pollock seconded the motion.

Which motion prevailed.

Also,

No. 847 Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 537, Philadelphia, PA 19105, in the amount of \$2,118.00 in payment for rental of equipment furnished for the benefit of the City, chargeable to and payable from the Department of Public Safety-Third Party Payers (DPSTPP)

Which was read and referred to the Committee on Finance.

Also,

No. 848 Resolution amending Res. No. 744 and No. 952, approved August 15, 1979 and September 24, 1982, No. 744 entitled: "Resolution creating a Special Trust Fund for the receipt and disbursement of funds for training and related bank account" as amended by No. 952 to include disbursement for In-Service Training Trust Fund: By alerting the designation of the Trust Fund created and amending and authorizing additional payments into and out of such trust fund and by renaming The Trust Account the "Public Safety Training Account".

Also,

No. 849 Communication from John Norton, Director, Department of Public Safety, requesting authorization for Paul J. Imhoff, Chief, Dominick J. Cimino, Assistant Superintendent, and Henry Hegerle, Plan Examining Engineer/Training Officer, Bureau of Building Inspection, Department of Public Safety, to attend the 71st Annual Code Development and Educational Conference to be held in St. Louis, Missouri from June 20-27, 1986, at a cost not to exceed \$3,600.00, payable from Code Account 1476, Miscellaneous Services, Bureau of Building Inspection, Department of Public Safety.

Which were read and referred to the Committee on Public Safety.

The Chair presented

No. 850 Petition from the residents of the City of Pittsburgh, requesting a public hearing concerning Councilwoman Michelle Madoff's claim for damages suffered as a result of a job related injury. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which was read and referred to the Committee on Finance.

Also,

No. 851 Communication from Thomas Flaherty, City Controller, submitting the fiscal audit of Support, as of September 30, 1985 and the statement of grant revenues and expenses.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 852

Report of the Committee on Finance for May 14, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 735

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Air & Power Service Company, 972 Mercer Road, Butler, PA 16001, in the amount of \$362.40 in payment for repair of Air Conditioner in the Computer Room furnished for the benefit of the City in connection with the Department of Public Safety, Bureau of Police, Identification Section and providing for payment thereof."

Which was read.

Also,

Bill No. 752

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Patsy Catanzaro Construction (Patsy Catanzaro, Owner) in the amount of \$145.14 in payment of Extra Work, being in addition to the original contract price of \$92,800.00 on Controller's Contract No. 26971F, furnished for the benefit of the City in connection with the Reconstruction of the Wick Street Wall; and providing for the payment thereof."

Which was read.

Also,

Bill No. 753

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Trumbull Corporation (Perry J. Dick, President) in the amount of \$15,259.60 in payment for Extra Work, being in addition to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street - Phase I; and providing for the payment thereof."

Which was read.

Also,

Bill No. 754

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of NICET in the amount of \$1,850.00 covering examination fees for 37 applicants for Level 2 certification in the National Institute for Certification in Engineering Technologies; and providing for the payment thereof."

Which was read.

Also,

Bill No. 766

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Marion A. Monheim, in the amount of \$2,500.00 for consulting services rendered to Michelle Madoff, without previous authority of law, and providing for the payment of the cost thereof." ---(SPONSORED BY MICHELLE MADOFF)

Which was read.

Mr. DePasquale:

Mr. President, in regard to Bill 766, the only thing I require is some information as to what type of consulting the person did for Councilwoman Madoff.

The Chair:

Mr. DePasquale, that's money that was out of her account that we have for our personal aides and she transferred it over so she'd have a personal consultant. She doesn't have to give us whatever reason it is.

Mr. DePasquale:

Okay. I was just curious as to what it was for.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 774

A Resolution entitled, "Resolution transferring \$35,000.00 from Code Account No. 41 Refunds - Real Estate Taxes to the MSP (Main Street Program) Trust Fund."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 778

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of James L. Smith Insurance Agency, 304 Cochran Road, Pittsburgh, PA 15228, in the amount of \$1,211.00 for extending Ambulance Attendants & Omissions Liability Insurance Policy Endorsement and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 800

A Resolution entitled, "Resolution providing for a Professional Services Contract or Contracts, or to use existing Professional Services Contracts for the development, design, printing, publication, delivery, implementation and/or distribution of public relations, marketing and recruitment materials, strategies or plans of action for the City of Pittsburgh's Job Training Partnership Act Programs and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 853

Report of the Committee on Public Works for May 14, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 756

A Resolution entitled, "Resolution granting unto Allegheny International Tower, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Vault and Cornice Encroachment in and over a portion of the sidewalk of Liberty Avenue in the 1st Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 757

A Resolution entitled, "Resolution

granting unto Renaissance Federal Credit Union, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, Steps, Ramp and Planters on a portion of the sidewalk of 43rd Street in the 9th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 758

A Resolution entitled, "Resolution granting unto Mary Beth Schwartz, her successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Building Encroachment on a portion of the sidewalk of S. 19th Street in the 17th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 759

A Resolution entitled, "Resolution granting unto Dolores Felsing, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, an Off Street Parking Area on a portion of the Right of Way of Scull Street in the 24th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 760

A Resolution entitled, "Resolution vacating Conkling Street from Wylie Avenue to the Northwesterly terminus, a distance of 120 feet in the 5th Ward of the City of Pittsburgh, excepting and

reserving an easement for the 6-inch water line and 15-inch sewer line."

Which was read.

Also,

Bill No. 761

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for - Haslage Plan IV."

Which was read.

Also,

Bill No. 762

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for Pittsburgh Technology Center."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 854

Report of the Committee on Planning, Housing and Development for May 14, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 641

A Resolution entitled, "Resolution Repealing Resolution No. 791, effective August 23, 1985 entitled: 'Providing for an Agreement or Agreements with the Bethlehem Haven of Pittsburgh, located at 620 Smithfield Street and the Urban Redevelopment Authority for renovation of their building at 1111 Penn Avenue, for provision of homeless-support, at a cost not to exceed \$90,000.00."

Which was read.

Also,

Bill No. 765

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Jubilee Association, Inc. for professional services for 1986 at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1103, Miscellaneous Services, (Index Code 110304), Department of City Planning, and transferring \$5,000.00 from Code Account 10, Accounts Payable Prior Years, (Index Code 001008), to Code Account 1103, Miscellaneous Services, (Index Code 110304)." —(SPONSORED BY MR. GRABOWSKI)

Which was read.

Also,

Bill No. 775

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the South Side Local Development Corporation for the implementation of the Main Street Redevelopment Program at a cost not to exceed \$35,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 855

Report of the Committee on General Services for May 14, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 769

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing contracts, for the furnishing and delivery of computer furniture at a cost not to exceed sixty thousand dollars (\$60,000.00) for the Bureau of Information Systems, Department of the Mayor, Code Account No. 1045, Index Code 104505, Equipment, and for payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 856

Report of the Committee on Parks and Recreation for May 14, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 779

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the South Side Sooners Youth Football Program for professional services for 1986 at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1838, Miscellaneous Services, (Index Code 183806), Department of Parks and Recreation, and transferring \$2,000.00 from Code Account 10, Accounts Payable Prior Years, (Index Code 001008), to Code Account 1838, Miscellaneous Services, (Index Code 183806)." —(SPONSORED BY MR. WAGNER)

Which was read.

Mr. Givens:

Before we have a motion, Mr. President, I meant to bring this up Wednesday but because of the other pressing issues we had before this Council it slipped my mind.

I looked throughout all the paperwork I have and I checked with our Finance section back there and I don't know who the principles are, I don't know what the itemized list of things that they're wanting for this \$2000. I'm sure the Sooners need the money but I'd like to make a motion to put this back into Committee for one week so we can get that information by this Wednesday.

Mr. DePasquale seconded the motion.

Mr. Wagner:

Discussion. Mr. Givens, I have all that information in my office. It was

available to you last week and it is continually available to you today. You are free to review that information and if there is any other reason why you choose to hold this piece of legislation I wish you would come out and say.

Mr. Givens:

Jack, I have received document and background information on every bill that was presented to us last week but that bill. I'm sorry, I just didn't receive that information and generally it's attached to the bill itself.

This Council has gotten burned on the few occasions for giving money to various community groups. I have set a standard for myself; that is, I want to see an itemized list. In fact, it's required by the Planning or this Parks and Recreation. Before they can dispense of any money, they have to show where this money is going to be spent. That is not accompanying the bill and I wish you would have had it but I would like the opportunity to look at that information. I think all other Councilmembers should have that same opportunity.

Mr. Wagner:

Mr. President and members of Council, we have had that information in our hands for two weeks; a week and a half prior to it coming into Committee and since it was in Committee last Wednesday, an additional five days.

I think it's rather late to be asking for that information. That information along with every other bill that is part of this legislation has been available to every member of Council for two weeks and for a member of Council to say that it is not available, I disagree with and I can say that the South Side Community is very worthy of this legislation, the

organization that it's representing is very worthy of this organization. There are only two such football programs left in existence in this City. This program is struggling financially in the South Side. Without this assistance in funds it will exist any longer and for that reason I strongly support this legislation.

Mr. Givens:

Jack, I strongly support it too but I am not going to act on it until I get that specific information, study it and talk to the people. I've been burned once in this Council and I'm not going to be burned again.

Our Finance Department did not have it. When I went to get it, even prior to this meeting, I could not get that information. That's all I'm asking for. And I think if any of us put anything into any bills that we should have background documentation supporting it. It was not in this bill.

I had it as a note on Wednesday to bring it up; I did not bring it up. I'm bringing it up now. I can't vote on it because I won't vote on it until I get that documentation.

Mr. Wagner:

Mr. President, I'd like another comment. Mr. Givens, you have not come to me for that information and if you are flat out against the support of a South Side organization that is very worthy —

Mr. Givens:

Absolutely not; I'm on record as saying that I am not.

Mr. Wagner:

— that is very worthy of this

legislation, I would suggest that you come out and say that.

I will say this to you. I will stand up and be heard in terms of supporting this youth football program and I would strongly suggest to every member of this Council that they do the same.

This organization has been in existence for a number of years, over ten years. They can prove it, they can validate it with brochures, they are very worthy of this support. Other neighborhoods in this City have received the same type of similar support in the past, of which you have supported that legislation. Now, if you in any way have a problem with the South Side community with this legislation, I would simply request that you come out and say that and not hold up this legislation. This legislation is very worthy, the information that you're requesting has been available, and now is not the time to request it.

The Chair:

Let me put this all back in perspective. Let's not get personal. The motion was to recommit until this Wednesday. No one said they were against the legislation or for the legislation. In fact, Mr. Givens said he was for it but he wants to see some documents. It's just to recommit.

Now, Mr. Pollock, on recommitment only.

Mr. Pollock:

That's exactly what I was speaking to. I don't think the purpose of recommitment is to accomplish what was supposed to have been accomplished in the Wednesday Committee Meeting. That's not why we have Wednesday Committee Meetings. If people weren't

there or if they didn't ask questions on Wednesday, the legislative process runs its course. We have final votes on Monday and if someone wasn't able to accomplish what he or she should have accomplished on Wednesday, a motion to recommit is inappropriate.

The Chair:

Well, as President of Council I disagree with you. It happens here many, many times. There are many pieces of legislation that a particular Councilmember may not have paid attention to on a Wednesday or may not have been here, and I can look around at everybody in this room, all nine of us, and ask that at one time or another, because we didn't have the information or have a chance to look at it, has asked for recommitment. So, that's what I said. Let's not get personal.

Mr. Wagner:

Just one question, Mr. President. This is coming out of Parks and Recreation Committee and the Chairperson of that Committee, Councilwoman Sophie Masloff, appears to be very comfortable with this legislation or she would have requested recommitment. I think as respect for any Councilmember on this Council, that Committee Chairperson and also myself that strongly supports this legislation, if the Committee Chairperson has not requested, I would just strongly request that this legislation move forward.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Woods
Mr. Grabowski	(Pres't)

AYES 5 NOES 4

VOTING NO:

Michelle Madoff	Mr. Pollock
Mrs. Masloff	Mr. Wagner

And a majority of the votes of Council being in the affirmative, the motion was approved.

Mr. Wagner presented

Bill No. 857

Report of the Committee on Public Safety for May 14, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 811

A Resolution entitled, "Resolution Repealing Resolution No. 357 of 1986, approved April 25, 1986, entitled: 'Resolution providing for an Agreement or Agreements with a Consultant for professional services in connection with the establishment of an Office of Professional Responsibility within the Department of Public Safety, and providing for the payment of the cost thereof.'" —(SPONSORED BY MR. WAGNER)

Which was read.

Mr. Wagner:

Mr. President, I think the Record reflects that this piece of legislation was in front of us three or four weeks ago. It came out of the Committee on Public Safety. I did not support the legislation and I did not think at that time, and I expressed my feelings at that time and as part of the Record, that this legislation was not even proper legislation because it identified a certain individual to receive the consulting contract. The legislation should not have done that. There is no need for additional consultants within the Department of Public Safety. We already have a consultant contract going on there; one is enough. This piece of legislation represents \$26,000 in taxpayer money and I feel if it were spent it would be wasted. Consequently, I strongly suggest that it not be supported and that we repeal the legislation.

The Chair:

Mr. Wagner, this is what this is doing, repealing, isn't it?

Mr. Wagner:

Yes.

The Chair:

So you're requesting that we affirm it.

Michelle Madoff:

The vote is aye to repeal.

Mr. DePasquale:

Mr. Chairman, first of all, this legislation was handled very badly. It's the first time in all the time that I've been on City Council that legislation was

submitted to Council for one individual. In other words, if that individual was not to take the job, the legislation as we're doing now would be repealed. It's sort of repugnant that someone would do this and someone in Council would also get together with that party and say, "Okay, if he gets the job we'll okay it and if he doesn't, then we won't." It's so irregular that I never heard of it and I hope I never hear of it again. If this type of legislation comes up one more time and someone specifies it's for a certain individual, I'm going to holler foul. I didn't like it then and I don't like it now and I'm going to vote against the repeal. Either they wanted a consultant in that Department at \$26,000, regardless of who it was, or they didn't want a consultant. You don't specify one individual.

The Chair:

If I'm correct, Mr. Wagner, you initiated this piece of legislation.

Mr. Wagner:

Mr. President, I did not support the original legislation of the \$26,000. As you recall, the majority of this Council voted for that when I strongly recommended not to vote for it. Again, I am strongly suggesting that the legislation be repealed and that we not give the Public Safety Department the \$26,000.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES 2

(MR. DEPASQUALE AND MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 858

Report of the Committee on Engineering and Construction for May 14, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 787

A Resolution entitled, "Resolution amending Resolution No. 196, effective March 19, 1986, entitled: 'Providing for a Contract or Contracts, or use of existing Contracts for Replacement of Windows at Fire Stations No. 10, 12, 13, and 14 and Police Station No. 4; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$16,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill

pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Grabowski:

Mr. President, I move to adjourn this meeting and meet again on Tuesday, May 27, 1986 at 2:00 p.m.

Mr. DePasquale seconded the motion.

Michelle Madoff:

Don't we have any other business?

The Chair:

He made the motion and it was seconded.

Michelle Madoff:

You didn't give us a chance for any other business.

The Chair:

I stood here and --

Mr. Pollock:

I didn't hear what his motion was.

The Chair:

His motion is to adjourn this meeting and meet again Tuesday at 2:00.

Michelle Madoff:

There's some other business to be discussed, Mr. Chairman.

The Chair:

I can't make another motion unless he rescinds his motion and the second is rescinded, then we can have some other discussion.

Mr. O'Malley:

What was the purpose of the motion?

The Chair:

To adjourn.

Michelle Madoff:

We have a holiday. But I want him to hold off until other business is discussed.

Mr. Grabowski:

Well, Mr. President, out of courtesy to Michelle I will withdraw my motion but I would ask that she pay attention in the future. Councilman Woods stood up there for a few seconds waiting for someone --

Mr. DePasquale:

I'll withdraw my second.

Mr. Pollock:

I didn't hear him say it. Did you say New Business?

Michelle Madoff:

I didn't hear New Business. Did you say New Business?

The Chair:

You don't say New Business. I know how to run the meeting, please.

Now, Ms. Madoff, you have the floor.

Michelle Madoff:

I want to thank my colleague for withdrawing his adjourning of the meeting so I can just address an issue that's before all of us.

Over the weekend I took the opportunity to consult with an attorney with reference to the issue of my injury suffered here in Council when I was hospitalized July 15, 1985. In speaking to my attorney, it was pointed out to me that since no one knew that public officials fall in the same category of the general public, they are not covered under workmen's compensation. If somebody is covered under workmen's compensation in the same way that anybody, including elected officials, medical bills are paid. However, if they have a re-occurrence or if they're disabled, a person on workmen's comp could and has been, in many instances, having their problems and their salary taken care of for life. They become eligible under workmen's comp if they are not able to return to work or if the same injury is the cause of a flare-up at a later date.

The general public, which a

member of the elected Council falls under, does not have that protection. In other words, had I not just dislocated my elbow, and I'd like to clarify that for anybody who doesn't know. There's a tremendous difference between a break and a dislocation. Breaks are usually in a cast for six weeks and you heal generally. Dislocations never heal completely.

My attorney pointed out to me that since I had been to therapy, once in Washington which was \$90 and was not covered under the existing policy that we have with the City which is Blue Cross, Blue Shield, Major Medical; it had to come out of my own pocket. And that when I go to a doctor on an out-patient basis that is not covered under, not entirely, sometimes it's partially covered, sometimes not covered. An out-patient visit with a doctor is generally not covered, not knowing what other problems could occur because of arthritic problems or what have you, and the fact that I cannot do buttons up on the back of any garment I choose to wear, I need someone to dress me, there's a permanent injury, and the fact that I was being, what I thought, very reasonable in saying that I don't want to put the City through a lawsuit, I just want to be reasonably reimbursed, I will settle for what was offered. But since that position has become --

You know, Mr. Chairman, if I did what my colleagues did right now, not only would I be ruled out of order but I would have been fined.

The Chair:

You do it all the time, Michelle. And the reason I'm not correcting them is because you and your aide have been meeting on every piece of legislation when Mr. Perry was reading it. You walk to the back of the hall, you went and

talked, you followed Maribeth Salley out and you sat back there and caused a commotion and now I am showing you the same politeness that you show the rest of your colleagues, and that's none. Now do you want to continue?

Michelle Madoff:

I'm trying to. Tell me when I may continue. I will wait for your instruction because, after all, I always look to my leader for leadership.

The Chair:

Thank you. You may continue now.

Michelle Madoff:

In light of the fiasco that took place by Mr. Ferlo, who is here, I might add, at 2:45 when he should probably be in the Controller's Office doing his job, and by the question on KQV on Saturday which was, "Should Michelle get \$15,000, should she get more or should she get less?" It's like a little boy who brings a rabbit to school for show and tell and the little girl says, "I wonder if it's a male or a female" and the teacher says, "Let's find out; we'll vote on it."

I decided to listen to my attorney and to wait until the reimbursement, see what, if any, other problems occur, what happens with my arm, and to let the matter ride for the time being. I will instruct my attorney that I have to immediately initiate a claim to go through what Mr. Ferlo has requested and that is the courts. Unfortunately, as you all know, Mr. Danny Pellegrini has informed us that that will mean the hiring of an outside attorney so that's going to be more than what I was even asking for which I think is unfortunate. You know, attorneys don't work for nothing; I'm sure that they will want a portion which they build into the claim

which I think is terribly unfortunate.

I also want to point out one very important thing, that any person injured in this City who makes a claim, whether its against the City or against anyone else, if the claim is legitimate, can go to any attorney, almost any attorney I believe, on a contingency basis. In other words, there's no money out of pocket until the settlement time. So, any B.S. rhetoric that people didn't get paid their fair amount because they didn't go to an attorney or they went to an attorney and didn't get their money or they couldn't afford an attorney is nonsense because attorneys take claims on contingency basis.

Subsequently, I will follow procedure, let the wheels of justice grind as slowly as they may, and eventually I believe that justice will be done. I'm glad, though, that someone wasn't hurt more severely than I was. The fact that the guard was not up at the time in front of the camera has been corrected, that the Cable Division of the City showed all the commercial stations the next day how they had made corrections, that they were grievously at fault, it was grievously negligence which they admitted to which is now on all the television station, 2, 4, and 11, in their files. So there's no question of culpability or liability; that's been clearly established.

I think it's unfortunate that Mr. Danny Pellegrini, in pleading the case that I'm willing to settle for so little, reiterated the fact that not only did I see my own doctor but that the City sent me to another physician and they both reaffirmed that I have a permanent damage that could exacerbate and become much more severe as years go on.

We're going to wait and see and

we'll just take that course of action. I wanted to inform my colleagues because I know there was a bill that was read for Wednesday and so that bill would be moot.

Mr. DePasquale:

On the same subject, Mr. Chairman, I want a Parliamentary ruling. In regards to a settlement for anyone who gets hurt in the City of Pittsburgh, I think we're all aware that if the City attorney feels that its for the benefit of the City to settle and not go into court, actually to save money, this is probably the proper procedure. Never, in the 13 years that I've been on Council, have we ever held up a settlement offer by the Law Department. This is the first time and I'm a little curious as to why. Whether it's Michelle Madoff, you, I, or any citizen named Joe Smith, if they get hurt and the Law Department feels its fair settlement — in this case they had two or three doctors verify that the party was permanently disabled, partially disabled, and obviously entitled was entitled to the money.

As far as Council holding it up or throwing it back in the Law Department's lap, that's something else. I wasn't here so I can't really speak out but I wouldn't have been a party to it.

The other one is, I'm curious as to why a public hearing. This is a routine matter, the Law Department has tried to settle with the party and it's Council's ball whether to approve or disapprove. How does this wind up being a hearing? I understand 25 citizens signed a petition, yes. But not on a routine matter. It does not require a hearing and should not be allowed. That's where I want a Parliamentary ruling.

The Chair:

Under the Home Rule Charter, any issue concerning the City that has the signatures of 25 people, we have to have a public hearing.

Mr. DePasquale:

I'm being told that any time a settlement comes up, there can be a hearing on that settlement?

The Chair:

If it's City business.

Mr. DePasquale:

We could have a case now where we could be having hearings five times a week.

The Chair:

We have hearings on things that don't even involve our legislative process and don't even involve our City process. If there's 25 signatures, we have to have a hearing.

Mr. DePasquale:

I'm confused. This is the first time that anybody has ever asked for a hearing in a matter of this type.

The Chair:

On this particular case we'll have to do a little research because if Ms. Madoff does file suit then perhaps there will not be a hearing.

Michelle Madoff:

If I might just respond. My understanding, Mr. DePasquale, was that I got advice from one of my colleagues that there weren't the votes on this

Council to vote for the settlement which I was willing to take and I think was very reasonable.

Some members of Council felt that they didn't want to vote on another member of Council so that I hope that in the future, if any member of Council has a personal issue, if they're involved in a housing, a zoning, anything that they're personal involved in, this Council will not vote, it will go to court on it.

I also would like to point out that it appears there were votes, the votes were there. I have polled this Council and the votes were there to support that settlement. The hiring of an attorney now is going to be more than my settlement, Mr. DePasquale; you're absolutely correct. However, while I didn't want to discuss it today and didn't want to go into it, you're correct, Mr. Chairman, any time a case is in litigation, it cannot be discussed and cannot have a public hearing.

Mr. Pollock:

On another subject. In our mailboxes, I don't think everyone has picked them up yet, is a correspondence from David Donahoe of the Mayor's Office, along with a copy of a letter he received from the DeBartolo Corporation along with a news release. David makes careful attention to point out that he received this correspondence at 5:05 p.m. on Thursday.

In the following day's paper, the news release came out which stated that the Penguins asked for a one-year extension of their lease and that they had received support for this request from the Allegheny County Commissioners. In light of this request and in light of the support of the Allegheny County Commissioners, the DeBartolo Corporation is hoping that the

City and the Public Auditorium Authority goes along with this request for a one-year extension. As my colleagues may or may not know, there was supposed to be a five-year lease as approved by this Council before I came on it last year, when the Civic Arena Corporation was given about a half million dollar rent cut and about near half million dollar operating subsidy along with 11.4 million construction bonds.

Now, it's not my style to pre-judge any issue which might appear before Council at a later date, so I won't address the merits of the request for a one-year lease. But what I would like to bring up at this time is the shoddy manner in which City Government is being treated, for maybe it's actual purpose for the DeBartolo Corporation releasing this information to the City Government in this manner was an attempt to muscle us into a deal. And while the Allegheny County Commissioners are given prior notice and the ability to consent or not consent, and City Government isn't afforded the same cooperation or consideration, in light of the significant concessions that this Council and the City Government afforded this corporation last year is beyond my comprehension, and so I will address that and express my displeasure with that.

I think that the Mayor of this City, I think this City itself deserves a lot more consideration by anybody doing business with the City, but even more so by an entity that received the breaks that the DeBartolo Corporation has received in the past. I wanted to respond to that at this time.

The Chair:

I think the Mayor has and I have, as President of Council.

Mr. Givens:

Mark was not in Council at the time, but the agreement, as I understood, was for a one-year extension. At the end of that one year, the DeBartolo Corporation would come in and tell this Council as well as the Auditorium Authority which I now sit on and represent the people of the City of Pittsburgh and, in fact, this Council to a certain degree.

It was brought up at our executive meeting on Monday; we were awaiting word at that particular time last Monday for this information to come down. I don't know how any company can express themselves other than do it in a professional way by putting it into a letter and giving it to the appropriate people. We are a public body. So, as a result, this is public information. The minute that letter was received by any of us it should have gone public. Now we have to sit down and discuss can we go for another year. That is something that this Council is going to have to look at, the Mayor is going to have to look at, the Auditorium Authority as well as the Commissioners, because we're all in this basket together and we're all going to have to come out with some type of a decision. Any one of those three major bodies, that of the Mayor, this Council, or the Commissioners balking at any agreement that will come up, there will be no agreement. That burden then is rested upon all of our shoulders to make a good decision.

I wouldn't want this Council as a body going out and saying that we're mad at DeBartolo. I think he's doing exactly what he said he was going to do, that when this comes up one year from now, he had to make a decision. He had to make a decision within that one year's period of time that he would continue on. And if we held \$12 million until he

made a firm commitment for a five year contract with us. So we have \$12 million sitting there in a loan that I hope is drawing interest, I'm sure it is, and the biggest problem before all of the bodies right now is what are we going to do about that loan that we took out because that should be exercised and something should be done to the Stadium or we're going to have to put it back in or put it to some other use.

There's a lot of discussion that has to go underway but I felt bad in the fact that sometimes we don't get that counsel but you have to assume that's a major corporation out there and they did it the way I think any major corporation that has 10,000 things going on at one time. They sent a letter of decision from the highest authority of the corporation, Mr. DeBartolo.

The Chair:

We don't like the way it was handled. They went to the news media and the Commissioners first and never consulted with the Mayor of this City or the Council or the Auditorium Authority before coming up with additional demands. Before they did that they should have negotiated with all the parties involved, like they did over a year ago. I think that's what Mr. Pollock is saying, that's what I said, and for us to sit here and talk about what kind of agreement they want in the future, it's useless because we don't know what it is. But I think if someone wants to make a statement here that we're mad, yeah, I'm mad at them, personally, for doing it the way they handled them.

Mr. DePasquale:

I merely wanted to say that my colleagues, Givens and Pollock, both made very good points and certainly what you said in the newspaper the other

day was apropos. It's no secret that DeBartolo is a very good, close friend of mine. However, a year or so ago we changed that lease one time, supposedly. And then within a year they were to say whether they were going to stay five more years or not. Now they're more or less saying, "Give us another year." It's the old story, and I have to agree with Mark Pollock, ante up or else. It's a threatening gesture.

And as you said, there's no use talking about it now because the legislation is going to come up. I just felt that the remark should be made that when this does come up, I'm going to look very, very closely at it. Either they're going to go through with the five year agreement or perhaps maybe we shouldn't extend it another year.

Mr. Wagner:

Mr. President and members of Council, in regard to the same issue, I believe this Council and the Mayor acted in good faith a year ago with the Civic Arena Corporation. At that time, there was no mention of an extension after one year. Never was that talked about. I met privately with Mr. Martha and discussed this whole issue in great detail. We all know since that time we're probably faced with losing the soccer team here in the City of Pittsburgh unless somehow or another they can save it with someone buying the team and keeping it locally. We have lost something right there.

If they think they can come out and play hardball and say, "We need more money to stay" after they have met the attendance figures that they indicated they needed to meet, and they have been met in this City, attendance is up with that hockey team, if they think they can come out and play hardball and come to the taxpayer again to get more money, I

think they're mistaken. And I know as one elected official, I certainly want to see hockey stay in this community but, at the same time, the community can't pay for it. The taxpayer of this City cannot pay for that franchise to exist here.

We made an effort, I think, in good faith a year ago and for the public to believe that we are going to do it again, and me, as one member of Council going to do it again, simply because the Commissioners have come out and said that there's going to be a one-year extension, that does not mean that this Councilmember is going to support a one-year extension.

Mrs. Masloff:

What are the terms of the one-year extension?

The Chair:

No one knows. That's why I'm saying it's useless for us to talk about it. No one knows. They had to give us a date by May 15th, after one year they would tell us whether they were staying for the whole five years or not. Now they're asking for another year on that. But that's why we have to wait to see what they have.

Now, before I lose this, I need a motion that our Wednesday meeting be at 2:00 p.m. rather than at 10:00 a.m. this coming Wednesday.

Mrs. Masloff:

So moved.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Givens:

Mr. President, we had some comments in the very beginning that came as an actual surprise to me when myself and my office had received the First Place Winner of the City Council Challenge '86 Pickup of Pittsburgh. But I could not go by without saying that there are some comments to be made and some of the people that made that possible. Naturally, Linda Noszka from my staff, Aggie Brose and June Coyne were all very instrumental in working very hard to see that come about. We have our Scoutmaster, Michael Murphy from 5530 Keystone Street who brought his troop in there. Assistant Scoutmaster and Coordinator, Thomas McGovern of 5154 Keystone Street. Scout Troop, Three Rivers District, Allegheny Trails Council, Troop 40 was very involved in it. These are young lads.

The point is, and the whole Clean City Committee, is to try to get the youth to change their habits, even if their parents might not change those habits. And these kids, some 12 or 14 of them, were very instrumental and worked for several hours along the Lawrenceville area. Jane Zalewski who is also from Lawrenceville. We have members from the Lawrenceville Development Corporation where we worked at to make them highly aware of what was happening down there and that's Mary Ann Ceoffe. Garfield resident, Larry Coyne and Garfield resident, Michael Hazel.

These are the people that went out there and got the brooms and the shovels and the pitchforks and really cleaned that particular area out. I'd like to bring this group in and make some comments in because part of that competition was to ask the people after they had cleaned up, what were some of their remarks. I think this Council as well as the Clean

City Committee and the Mayor would be interested in what some of these comments were of the young kids and the adults who helped make that part of the City clean. And I'll be very happy to distribute among the people who have worked with me the five litter cans that are at my disposal, the first time the City has ever given me anything other than my paycheck.

Mr. Grabowski:

I move to adjourn until Tuesday, May 27, 1986 at 2:00 p.m.

Mr. Givens seconded the motion.

And on the motion of **Mr. Grabowski**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Tuesday, May 27, 1986

No. 21

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk
Pittsburgh, PA
Tuesday, May 27, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't)

ABSENT:

Michelle Madoff

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. DePasquale presented

No. 859 Resolution providing for a Contract or Contracts, or for the use of existing Contracts, for the purchase and installation of fire hoses and fire extinguishers, etc. for City-owned buildings at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account EC 86-84, Safety Code Compliance for Various City Buildings.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 860 Resolution granting unto Charles Golankiewicz, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a driveway on a portion of the Right of Way of Belleville Street in the 32nd Ward of the City of Pittsburgh.

Also,

No. 861 Resolution granting unto Patrick Mahoney, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, an off-street parking and garden encroachment on a portion of the Right of Way of Westborn Street in the 27th Ward of the City of Pittsburgh. A portion of this street has City steps in it.

Also,

No. 862 Resolution authorizing and directing the Mayor and the Director of Public Works on behalf of the City of Pittsburgh to enter into an Agreement with the County of Allegheny for the reconstruction and maintenance of traffic signalization and street lighting on Browns Hill Road in the 15th Ward of the City of Pittsburgh.

Also,

No. 863 Resolution adopting Official Sewage Facilities Plan for an interim on-lot system to serve the Ciotti property.

Also,

No. 864 Resolution vacating a portion of Henderson Street, beginning at a point at the intersection of Henderson Street and Federal Street point being on the Northerly side of Henderson Street, thence Northeast along Henderson Street, 75 feet to a point, thence Southeasterly, 17 feet to a point, thence Southwest a distance of 75 feet to a point on Federal Street, thence Northwest 17 feet to the place of the beginning, in the 25th Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 865 Resolution providing for the issuance of a warrant, without previous authority of law, in favor of P & B Wholesale Supply, Pat V. Alexander and Pat L. Alexander, Partners, in the amount of \$5,188.00 for the erroneous award and payment to the wrong vendor, payable from Code Account S.T.F., Stores Trust Fund, Department of General Services.

Also,

No. 866 Resolution providing for the transfer of funds totalling \$600,000.00 as follows: the transfer of \$300,000.00 from Code Account 1144, Gasoline and Diesel Oil, to Code Account 1150, Outside Repairs Contracts; and the transfer of \$300,000.00 from Code Account 1144, Gasoline and Diesel Oil, to Code Account 1132-2, Telephone Services and Equipment, Department of General Services.

Which were read and referred to the Committee on Finance.

Also,

No. 867 An Ordinance directing the Allegheny County Board of Elections to place before the voters of the City of Pittsburgh a referendum as to whether the said voters are in favor of supplementing the Home Rule Charter, Section 511, "Competitive Bids", by adding subsection (e), thereby authorizing the City to establish a procedure to set aside certain classes of contracts for goods and non-professional services for minorities and women by eliminating competitive bidding requirements for those contracts.

Also,

No. 868 An Ordinance amending the Pittsburgh Code, Title One, "Administrative", Article VII, "Procedures", Chapter 161, "Contracts", Section 161.03, "Advertising Contracts Exceeding \$5,000.00", by changing the Councilmanic amount from \$5,000.00 to \$10,000.00.

Also,

No. 869 An Ordinance amending the Pittsburgh Code, Title One, "Administrative", Article VII, "Procedures", Chapter 161, "Contracts", Section 161.13, "Bonds on Small

Contracts", by changing the Councilmanic amount from \$5,000.00 to \$10,000.00, and by changing the "Department of Supplies" to read "The Department of General Services".

Also,

No. 870 Resolution providing for the letting of Contracts and for the use of existing Contracts, for the maintenance, rental, inspection, or servicing of personal property and for the miscellaneous services in and for any and all departments of the City of Pittsburgh for the calendar year 1987.

Also,

No. 871 Resolution providing for the letting of Contracts and use of existing Contracts for furnishing materials, general supplies, and equipment whose estimated cost will be in excess of \$10,000.00 and to purchase without advertisement, such as materials, general supplies, equipment and machinery whose estimated costs will be less than \$10,000.00, as required by the several departments of the City of Pittsburgh, during the calendar year 1987.

Also,

No. 872 Resolution amending Res. No. 745 effective August 15, 1985, entitled: "Providing for the letting of Contract and use of existing Contracts for the materials, general supplies, and equipment by the several departments of the City of Pittsburgh, during the calendar year 1986, and providing for the payment of the cost thereof," by raising the amount from \$5,000.00 to \$10,000.00.

Also,

No. 873 Resolution amending Res.

No. 747 effective August 15, 1985, entitled: "Providing for the advertising for proposals for equipment for use by the several departments of the City of Pittsburgh during calendar year 1986," by raising the amount from \$5,000.00 to \$10,000.00.

Also,

No. 874 Communication from George Jacoby, Director, Department of General Services, requesting permission for Kathy Ross and Dale Perrett to attend a seminar "Dealing with Vendors & Suppliers" at the Pittsburgh Hyatt on June 25, 1986, at a cost not to exceed \$400.00, payable from Code Account 1128.

Which were severally read and referred to the Committee on General Services.

Mrs. Masloff for Michelle Madoff presented

No. 875 Resolution providing for a Contract or Contracts or the use of existing Contracts, for the purchase of water meters at cost not to exceed \$51,000.00, chargeable to and payable from the Remote Reader Meter Revolving Fund \$24,000.00 and the Water Meter Fund \$27,000.00.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 876 Resolution authorizing the issuance of a warrant in favor of Kristin Williams, in the amount of \$1,000.00 in payment for the completion of twenty-five (25) exhibit label cards for the Pittsburgh Aviary to depict a painting of bird species, printed caption and a map of species range, chargeable to and payable from Code Account ATF (Aviary Trust Fund), Administration, in the

Department of Parks and Recreation.

Which was read and referred to the Committee on Finance.

Also,

No. 877 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission to amend Council Bill No. 389 authorizing Carl Mancuso, Alexis Merritt, Ross Rotunda, Sandra Rutkowski, Craig Merritt and Donna Rengers, to attend the 1986 State Conference of the Pennsylvania Recreation and Park Society at Hershey Lodge and Convention Center, Hershey Pennsylvania from April 4-7, 1986, by increasing the cost from \$1,750.00 to \$2,500.00, payable from Code Account 1838.

Also,

No. 878 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Debra McGuire to travel to the Cincinnati Zoo for training on the care of Gorillas from May 15-19, 1986, at a cost not to exceed \$500.00, payable from Code Account 1852. Use of a City vehicle is also requested. (PRIOR APPROVAL GRANTED)

Also,

No. 879 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Charles Wikenhauser to attend the mid-year meeting of the Species Survival Program for Gorillas in Chicago, Illinois from April 7-10, 1986, at a cost not to exceed \$463.00, payable from Code Account No. 1852. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 880 Resolution providing for the issuance of a \$994.58 warrant in favor of Jose Chigier in settlement of claim for automobile damage by a Department of Water vehicle, payable from Code Account No. 46, Judgments.

Also,

No. 881 Resolution providing for an Agreement or Agreements with a professional consulting firm, David M. Griffith and Associates, LTD., to prepare a cost allocation plan and indirect cost study for the City of Pittsburgh for a period of three years at a cost not to exceed \$18,000.00 per year, subject to annual budget appropriations, chargeable to and payable from Code Account No. 1063, Miscellaneous Services, Department of Finance.

Also,

No. 882 Resolution authorizing the Mayor and the Director of Finance to transfer rights, title and interest, if any, for certain 3 Taxing Bodies' properties in the 21st Ward of the City of Pittsburgh to the Pennsylvania Department of Transportation. Deeds to be in Quit Claim form for a total consideration of \$16,180.00.

Also,

No. 883 Communication from Ronald Schmeiser, Director, Department of Finance, requesting permission for Paul Evers' attendance on an inspection tour of "The Islands" restaurant, in conjunction with the possibility of their locating a "floating restaurant" at the Mon Wharf, in Cincinnati, Ohio on May 7,

1986, at a cost not to exceed \$250.00, payable from Code Account No. 1063. (PRIOR APPROVAL GRANTED)

Which was severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 884 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to expend a sum not to exceed \$10,000.00 from the Neighborhood Housing Fund for sidewalks and curbs on Browns Way in the 10th Ward of the City of Pittsburgh in conjunction with Garfield Jubilee Association's housing development on the street.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 885 Resolution providing for the issuance of a warrant in favor of Brandi Custom Services, 3636-40 Frazier Street, Pittsburgh, PA 15213, in the amount of \$455.00 in payment for Repairs of Venetian Blinds, chargeable to and payable from the Department of Public Safety, Bureau of Administration Code Account (DPSTPP).

Which was read and referred to the Committee on Finance.

Also,

No. 886 Communication from John Norton, Director, Department of Public Safety, requesting permission for Sergeant Charles Mares and Training Officer William Burke to attend a Summer Dispatchers Seminar to be held at the University of Delaware in Wilmington, Delaware, July 29-31, 1986, at a cost not to exceed \$1,500.00, payable from the Department of Public

Safety Code Account DPSTPP. Use of a City vehicle is also requested.

Also,

No. 887 Communication from John Norton, Director, Department of Public Safety, requesting permission for Detective Albert Parente to attend a Polygraph School at the Virginia School of Polygraph in Norfolk, Virginia from September 29, 1986 through November 21, 1986, at a cost not to exceed \$6,800.00, payable from the Department of Public Safety, Bureau of Police Code Account DPSTPP. Use of a City vehicle is also requested.

Also,

No. 888 Communication from John Norton, Director, Department of Public Safety, requesting permission for Deputy Chief John Harpur and Lieutenant Dave Keilman, Fire Prevention, of the Bureau of Fire to attend the 71st Annual BOCA Conference to be held in St. Louis, Missouri from June 22-27, 1986, at a cost not to exceed \$2,500.00, payable from the Department of Public Safety, Bureau of Fire Code Account DPSTPP.

Also,

No. 889 Communication from John Norton, Director, Department of Public Safety, requesting permission for Police Officer Augustus R. Spruill to attend the National Crime Prevention Institute Retraining Seminar to be held in Louisville, Kentucky from June 22-25, 1986, at a cost not to exceed \$650.00, payable from the Department of Public Safety, Bureau of Police Code Account DPSTPP.

Also,

No. 890 Communication from John Norton, Director, Department of Public

Safety, requesting permission for Sgt. Gwendolyn Elliott, and nine (9) Police Officers: Bobbi Apena, Maurita Bryant, Ophelia Coleman, Eunice Nelson, Claudia Salerno, Cheryl Doubt, Christine Williams, Virginia Beck, Beverly Phillips, to attend a training program "Forward to the Future" in Arlington, Virginia on May 27-29, 1986, at a cost not to exceed \$3,175.00, payable from the Department of Public Safety, Bureau of Police Code Account DPSTPP.

Also,

No. 891 Communication from John Norton, Director, Department of Public Safety, requesting permission for Fire Captains John Kerestes, Charles Boylan, Charles Lewis, and Frank Henry to attend a one day seminar entitled: "Practical Tactical Considerations for Hazardous Materials Incident" to be held in Pittsburgh, PA on May 17, 1986, at a cost not to exceed \$250.00, payable from the Department of Public Safety, Bureau of Fire Code Account DPSTPP. (PRIOR APPROVAL GRANTED)

Also,

No. 892 Communication from John Norton, Director, Department of Public Safety, requesting permission for Sgt. Gwendolyn Elliott, and nine (9) Police Officers: Cheryl Doubt, Eunice Nelson, Mary Causey, Beverly Phillips, Bobbi Apena, Linda Rosato, Regina McDonald, Ophelia Coleman, Mary Sealey, to attend a workshop entitled: "Leadership and Supervisory Skills For Women" to be held in Pittsburgh, PA on Friday, May 23, 1986, at a cost not to exceed \$590.00, payable from the Department of Public Safety, Bureau of Police Code Account DPSTPP. (PRIOR APPROVAL GRANTED)

Also,

No. 893 Communication from John Norton, Director, Department of Public Safety, requesting permission for twenty-two (22) people to attend the Safety Systems Hazardous Materials Training Program to be held in Upper St. Clair, Pennsylvania from May 31 through June 8, 1986, at a cost not to exceed \$5,100.00, payable from the Department of Public Safety Code Account DPSTPP.

Which were severally read and referred to the Committee on Public Safety.

The Chair presented

No. 894 Communication from Three Rivers Stadium Authority, submitting a list of personnel and salaries for the year 1985.

Also,

No. 895 Communication from Dante Pellegrini, City Solicitor, Department of Law, submitting a report summarizing settlement claims not exceeding \$750.00 for the First Quarter of 1986, payable from Code Account No. 1081, Petty Claims. Also, submitting a report summarizing settlement claims in excess of \$750.00 for the First Quarter of 1986, payable from Code Account No. 46, Judgments.

Which were read, received and filed.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 896

Report of the Committee on Finance for May 21, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 788

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Trumbull Corporation (Perry J. Dick, President) in the amount of \$29,322.40 in payment of Extra Work, being in addition to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street - Phase I, and providing for the payment thereof."

Which was read.

Also,

Bill No. 789

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Louis J. Viglione, Inc., in the amount of Seventeen Thousand Nine Hundred Sixty-seven (\$17,967.00) Dollars in payment for an Emergency Sewer Contract furnished for the benefit of the City in connection with the repair of a dangerous sewer condition on Old Banksville Road in the 20th Ward; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 801

A Resolution entitled, "Resolution providing for the sale of property or properties, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 812

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Eczel, One Zesta Drive, Pittsburgh, PA 15205 in the amount of \$324.56, in payment for Computer Ribbons and providing for the payment thereof."

Which was read.

Also,

Bill No. 813

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$34,440.00 in favor of James Karis Inc., 3215 W. Carson Street, Pittsburgh, PA 15204, for payment of contracts for the demolition and removal of 5 - 2 story brick dwellings and 1 - 2-1/2 story brick dwelling located at 821-23-25-27-29-31 Bryn Mawr Road, 5th Ward, without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 814

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$6,000.00 in favor of James Karis Inc., 3215 W. Carson Street, Pittsburgh, PA 15204, in payment for removal of personal belongings and shoring up the front wall at 830-838 Bryn Mawr Road, 5th Ward, without previous authority of law, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 833

A Resolution entitled, "Resolution transferring one million four hundred twelve thousand two hundred and fifty dollars (\$1,412,250.00) from Code Account 1457-9, Index Code 145797, Worker's Compensation, Police Bureau, Department of Public Safety and one million six hundred ninety-five thousand dollars (\$1,695,000.00) from Code Account 1470-9, Index Code 147090, Worker's Compensation, Fire Bureau, Department of Public Safety, to Code Account 1402-9, Index Code 140293, Worker's Compensation, Administration Bureau, Department of Public Safety."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 897

Report of the Committee on Public Works for May 21, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 790

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for traffic signal installation at various locations within the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 791

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for furnishing, installing, removing and

relocating certain electrical equipment necessary for Street Lighting in the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 898

Report of the Committee on Planning, Housing and Development for May 21, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 804

A Resolution entitled, "Resolution authorizing the Urban Redevelopment

Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned properties in the 26th Ward of the City of Pittsburgh designated as Block and Lot(s): 46-J-140, 46-J-141, 46-J-143 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 805

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any in and to the publicly owned properties in the 10th Ward of the City of Pittsburgh designated as Block and Lot 50-H-214, 50-H-215 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 806

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 21st Ward of the City of Pittsburgh designated as Block and Lot Nos: 22-G-85, 22-G-86 in the Deed Registry Office of Allegheny

County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 807

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Andrew A. Lang, Jr. and wife if married and designated as Block and Lot 22-G-91 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 808

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Theodore J. Hildebrand and wife if married and designated as Block and Lot 22-G-93 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 809

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Wilford R. McCoy and wife if married and designated as Block and Lot 22-G-94 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 810

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Alice Blackwell and husband if married and designated as Block and Lot 22-P-280 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 899

Report of the Committee on General Services for May 21, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 793

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts, for various public buildings maintenance services, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 794

A Resolution entitled, "Resolution amending Resolution No. 1283 of 1985, entitled: 'Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement

Program,' increasing a line item and adjusting the Summary Totals."

Which was read.

Also,

Bill No. 815

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase and delivery of chairs for the Department of Public Safety, Bureau of Administration, Communications Section and providing for the payment thereof."

Which was read.

Also,

Bill No. 816

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase of office furniture to coincide with the formation of new units and the hiring of new personnel and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner

Mrs. Masloff

Mr. Woods
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

Bill No. 900

Report of the Committee on Water for May 21, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 795

A Resolution entitled, "Resolution providing for an Agreement or Agreements for a Supervisory Update Program for Water Department personnel, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods

(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 901

Report of the Committee on Parks and Recreation for May 21, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 796

A Resolution entitled, "Resolution providing for authorization to enter into an Agreement or Agreements with a Consultant for the purpose of reviewing, recommending and implementing revenue generation at various facilities within the Department of Parks and Recreation and providing for the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mr. O'Malley
Mr. Givens Mr. Pollock
Mr. Grabowski Mr. Wagner

Mrs. Masloff

Mr. Woods
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 902

Report of the Committee on Engineering and Construction for May 21, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 826

A Resolution entitled, "Resolution amending Resolution No. 835, effective September 19, 1985, entitled: 'Providing for a Contract or Contracts, or use of existing Contracts, for the Fall Street Tree Planting Program at Various Community Development locations within the City of Pittsburgh; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$15,000.00."

Which was read.

Also,

Bill No. 827

A Resolution entitled, "Resolution further amending Resolution No. 1150, effective January 1, 1985, as amended, entitled, 'Resolution adopting and approving the 1985 Capital Budget and the 1985 Community Development Block Grant Program; and approving the 1985

through 1990 Capital Improvement Program,' by correcting a code account, increasing a line item and adjusting the Summary Totals."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Givens:

Mr. President, for all the members of Council, I think this is the last week of our Sargeant at Arms, Police Office Jack Hilson, and I'd like to have Jack come up here if we might, for a few words.

Jack, being our Sargeant at Arms has a great responsibility in protecting all of the people who come into our Council Chambers. We've had some serious incidents that have happened in the last couple of months and in fact the last couple of years and if you look over

the country and what has happened in Philadelphia, Baltimore and others where elected officials have been, in fact, killed. So, a great burden of responsibility is in fact put on this wonderful person who has been working with this Council for some five years, I believe, right now.

Jack, one thing I don't know, how many years have you had with the Pittsburgh Police Department to this date?

Mr. Hilson:

Thirty-four years.

Mr. Givens:

Thirty-four years. Well I appreciate it and I'm sure other Councilmembers might have some words of wisdom to pass on to you and personally, myself and my family, especially want to offer you the best in retirement and don't spend all your money down at the race track in the first week.

Mr. DePasquale:

Were there some shootouts that I didn't hear about?

All kidding aside, Jack, it's been nice having you, believe me. It's going to be tough to see you go. You shouldn't go. You're not even 65 yet.

Mr. Wagner:

I'd like to ask Mr. Hilson a serious question prior to a comment. What do you think about the mandatory 65 retirement policy in the Police Department?

Mr. Hilson:

You have to go sooner or later so you might as well go now.

Mr. Wagner:

Well, I'd like to say, Mr. Hilson, I'd like to thank you for all you've done here. I know privately I kid and I joke with you a lot but I truly believe you've done an excellent job here in representing Council and the Bureau of Police of the City of Pittsburgh.

Mrs. Masloff:

I have a very serious comment too. I hope your wife is watching, Jack. All the girls in the office are lining up to kiss you goodbye.

Mr. Wagner:

One last comment. We hope that your golf game improves after retirement.

The Chair:

Jack, thank you for serving here and for being a Police Officer. Over the last five years we became personal friends and next week you will get that dinner I owe you.

Mr. Hilson:

Thank you.

Mr. Givens:

I have a couple quick subjective matters. One, on the Sooners football think, Jack, have you sent any information out on that?

The Chair:

It's going to be coming up

tomorrow.

Mr. Wagner:

I still have not seen your memo. You indicated last Wednesday that you sent a memo to me of which I have not received a copy.

Mr. Givens:

It was hand-delivered to your office so I'm sure it's there. But that's beside the point. I think the information that was asked for is still on the table and hopefully we can have that information.

Mr. Wagner:

If you would like I can give you the contacts, the officers of the group and you can personally contact them.

Mr. Givens:

That is not the point. The point is I think you have to have -- How are they going to spend this money? Have they submitted anything in writing --

The Chair:

Can I interrupt you for one second? All they have to do is sign a contract with Parks and Recreation and that's who handles it. That's all they have to do.

Mr. Givens:

But my points over a week ago were still the same points that for any of us to sign anything, we should have some type of a listing of how they're going to spend it, if they're going to spend it on officials, clothing. What are they going to spend it on?

The Chair:

They do that, Mr. Givens. We can discuss this tomorrow because all they have to do, they submit it to Parks and Recreation because that's where the grant is coming from. It's coming from us but through Parks and Recreation and they sign a contract to that effect.

Mr. Wagner:

Well Mr. President, I would just like to mention that the memo I have not yet seen and I would like you to please give me a copy of it.

Mr. Givens:

I will.

Mr. Wagner:

Seeing that the bill is coming up tomorrow, Councilman Givens, at your request, I suspect we'll have to hold it again another week because I don't know what information you're requesting. I'm sure it's obtainable, though, whatever it is.

Mr. Givens:

Jack, I'll make it real easy. I'll send you a copy of the original memo. I sent one to Mike Perry and then we rewrote it and sent it directly to Jack himself. Just for the information.

Secondly, and this has to go both to Jack Wagner and to Mark Pollock on the Castriota situation. Could you brief this Councilman right now as to what is happening because tomorrow again we're going to have to vote on this thing. The people have been in my office today saying that we, this Councilman, was not participating and the last thing that was happening when we left this particular bill and it's referred week to week to

week, generally there's some negotiations hopefully going on. Are those negotiations still going on and where do we stand because tomorrow this bill comes up again and if it's going to be held a week we have to know what is happening. Is there any movement, any direction going back and forth on the issue?

The Chair:

Mr. Pollock, do you care to comment or do you want to wait until tomorrow?

Mr. Pollock:

I'll have some information for tomorrow.

The Chair:

I think that's where we should discuss it, at the Committee Meeting when we discuss all of our bills.

Mr. Givens:

Fine but I'd like to know that information.

Thirdly, I need to have some people come in here, Mr. President, and I ask any of you people to go out and look at what is happening in Polish Hill and the Bloomfield Bridge, the undermining that's happening in that particular project out there. I tried to discuss with various members and I feel, and the fact that I have been out there, looked at it, and my office has been out there attending meetings with the Polish Hill people for this is a subjective matter, that I have to have tomorrow the people from the Department of Public Works, Engineering and Construction, the Planning Department, the Mayor's Office, the Water Department, because they have some problems. If this bridge

doesn't go, they have a roadway underneath there, Melwood, which is subsiding in some areas. They've had several major water breaks out there, the road is sliding, etc. Underneath the bridge itself, there is undermining, there's extensive water damage, major slabs on concrete have been absolutely just forced right up and you can see two or three feet underneath them. And this is all impacting downhill on the next member of the bridge which I'm sure in time will cause that structure to move vertically somehow. Also in there, Mike, if we could have someone from our Law Department because we're under a contractual relationship right here, to get someone from the Law Department to find out which way we're going to go.

My whole point in bringing this particular group together is to try to get some resolve out there. I know the contractor is responsible but if we wait until this thing goes into litigation, I would submit to this Council and to the Administration and to the Engineering Department and everyone else that we might not have a Bloomfield Bridge opening up. That's how great the undermining is as I observed it over this past weekend.

Next subject, very quickly, Mr. President, is the Saw Mill Run. There's a hole in the sidewalk out there. Again, when I have this particular group here, minus maybe the Water Department -- Excuse me, Mike, one other person to contact in that Bloomfield Bridge and that is the contractor that was responsible for putting up the pile-ons and the concrete slabs underneath. Someone from that contractor should be here to represent that particular company.

With Saw Mill Run, the hole in the ground, all the other parties should be involved also. I'll put them both together

minus the Water Department and the contractor. They won't be needed for that meeting. Again, we have holes, gaping holes, and walkways along the Saw Mill Run corridor and out in the Overbrook area of the City of Pittsburgh, one where people can actually fall through underneath to the water, the creek down below. It is City property and I'm not getting the type of action and the response that we should get. So, hopefully, that will be talked about at the same particular post agenda.

That's all I have, Mr. President, with the exception of this weekend was Memorial Day Weekend and it was a great one. The weather held up, as we can see out there today. The St. Mary's Allegheny Cemetery Parade was one of the finest in the country. Steve Grabowski was the main speaker at St. Mary's and he gave a very eloquent speech and represented this Council here and I was very proud of him at that particular ceremony and the fact that I do march in that every year. We had a fly-over by the 112th Air National Guard unit out there and they do a great job of waking up all the people around 11:35 every day.

Hands Across America was another event that we had in the City. I participated in it out at the Oakland area along Devonshire and it was a wonderful affair. Our Police Department as well as the coordinators of the parades did, I think, a bang-up job and I think they're to be commended. And the people of the City of Pittsburgh are to be commended and how they turned out and how our media had covered that particular event within the City. As many people indicated, the \$10 is not going to stop poverty. Everyone was aware of that. But what it did to me and to the people who were out there, it highlighted the fact that, yes, there are people out

there, some 20 million people they say in this country go to bed without food in their stomach. I have to assume that some of those people live right here in this City. So what are we going to do about it in this Council to find out who those people are.

And there's 1.5 million people that are homeless that don't even have a roof over their heads and we know that that situation is happening out there as we see what is referred to as the bag people on the main Downtown streets in the City of Pittsburgh and they're still eating out of our garbage cans and that has been witnessed by this Councilman. I know those people are hard to work with in some cases but we have a responsibility as the elected officials in this Council to move forward on that and I know it's not a normal area that the Council of the City of Pittsburgh gets involved in, but who then takes up this slack of people when they're not eating properly? Sure it's the State, sure it's the Federal Government, sure it's the Allegheny County Commissioners, etc., but someplace we have to sit down because none of us, I don't think, would want to go to bed ourselves with our stomachs growling. And I don't think we want this to happen with any of the people here within the City of Pittsburgh and maybe, Mr. President, we could set up at least a commission to look into it. How serious is the problem, if we have a problem, here within the City of Pittsburgh, and I'm sure we do in some of our more deprived areas.

Thank you, Mr. President.

Mr. DePasquale:

Mr. President, I know it's a serious matter but over in Hazelwood I was asked to speak in Italian yesterday. I was just wondering if Steve spoke in Polish at St. Mary's.

Mr. Pollock:

Two things. I think as long as we're recounting the weekend we should also not neglect to cover the Children's Festival on the Northside which was a great success, the Folk Festival which is an annual event, and my next door neighbor had a picnic and I think that was a big success too.

We're scheduled to have a post agenda tomorrow and I understand Michelle had some surgery. Has that been cancelled, do you know?

The Chair:

Who asked for the post?

Mr. Pollock:

It was Michelle's post agenda.

The Chair:

It's cancelled.

Mr. Pollock:

It was supposed to be on the McCordle Roadway.

The Chair:

It's cancelled.

Mrs. Masloff moved to excuse Michelle Madoff for absence from the meeting.

Mr. DePasquale seconded the motion.

Which motion prevailed.

And on the motion of **Mr. DePasquale**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Monday, June 2, 1986

No. 22

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA

Monday, June 2, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Wagner:

Mr. President and members of Council, I'd like to ask Mr. John Hilson, our former Sergeant at Arms, to please step forward with his family. John has

with him Mr. John Hilson, Sr. who is a retired Police Officer of the City of Pittsburgh and resides now, I believe, in the state of Ohio.

Mr. Wagner presents

No. 933 WHEREAS, Officer John Hilson, Jr. has retired from the Pittsburgh Police force after thirty-four years of exemplary service, the last five (5) years as Sergeant at Arms for City Council; and

WHEREAS, before joining the City's police ranks, John served his country during World War II in the European theatre, completing three (3) campaigns and re-enlisting from 1950 to 1952; and

WHEREAS, Officer Hilson served in several different precincts and in various capacities during his thirty-four years, including beat patrolman, ambulance duty, radio dispatch, and Sergeant at Arms; and

WHEREAS, John and his father, John, Sr., also a retired Pittsburgh Police Officer, have a total of eighty years of combined service to the people of Pittsburgh, more than any other living father and son police retirees; and

WHEREAS, while courageously safeguarding the public's welfare, John, and his wife Celeste of thirty eight years, raised five children, Donna, John, JoAnn, Janet, and Kathleen, and have been blessed with five grandchildren.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate and commend Officer John Hilson on the completion of his illustrious thirty four year career with the Pittsburgh Police and wishes him a happy and fulfilling retirement.

Mr. Wagner moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Wagner:

I'd just like to say a few words before we let John speak. I was very fortunate to attend his retirement party yesterday where Mr. Hilson and the entire Hilson family attended and many of his friends and neighbors. It was a fantastic time.

Jack, we're going to miss you and I think if anyone is going to miss you it's going to be me because not only were you the Sergeant at Arms here but we're close friends. So, I wish you well.

Mr. Hilson:

Jack, I want to thank you for this honor along with all the other Councilpersons. I want to say that the five years I did spend here were very enjoyable years. I've learned a lot and I've met a lot of nice people, people that I'll remember for a long time. I just told my replacement there that he'll fit right in because they're all great people here and they accept you as one of them.

My years with the Pittsburgh Police have been good years. I enjoyed every minute of it. It was something that I always wanted to do and I had the chance to fulfill that and I thank the

good Lord every day for that and for giving me my health and a good family to back me up.

Again, I want to say thank you very much for this honor.

Michelle Madoff:

I want to say that I'm glad he never had to physically evict me when I was fined and I want to personally thank you for the day that I broke my arm and you took your belt and kept my arm from moving. I want to know, did you get your belt back or do I owe you for it?

Mr. Hilson:

I got the belt back.

Michelle Madoff:

Thank you. I'd hate for you to lose your trousers.

Mr. Hilson, Sr.:

I just want to thank all of you for honoring my son. Thank you.

Mr. DePasquale presented

No. 903 Resolution amending Resolution No. 216, effective March 21, 1985, entitled: "Providing for a Contract or Contracts for the Rehabilitation of the Davis Avenue Bridge, including necessary work on private property, and providing for the costs thereof," by increasing the total project allocation from \$310,000.00 to \$684,000.00.

Also,

No. 904 Resolution amending Resolution No. 149, effective March 3, 1986, entitled: "Providing for a Contract or Contracts, or use of existing Contracts, for the Renovation of the

Martin Luther King School Playground; providing for a reimbursement Agreement or Agreements with the Board of Public Education of the District of Pittsburgh; and providing for the payment of the costs thereof," by increasing the total project allocation from \$60,000.00 to \$83,000.00.

Which were read and referred to the Committee on Engineering and Construction.

Mr. DePasquale moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 905 Resolution amending Resolution No. 465, effective May 21, 1985, entitled, renovations of various playgrounds, including but not limited to the following sites: Enright, Osceola, Springgarden and Alton; and providing for the payment of the cost thereof," by decreasing the total allocation from \$155,000.00 to \$132,000.00, chargeable to and payable from PR 84-06 - \$30,000.00 and EC 85-34 - \$102,000.00.

Also,

No. 906 Resolution further amending Resolution No. 1150, effective January 1, 1985, as amended, entitled: "Resolution adopting and approving the 1985 Capital Budget and 1985 Community Development Block Grant Program; and approving the 1985 through 1990 Capital Improvement Program," by increasing two line items, transferring funds to another Code Account and

adjusting the Summary Totals.

Also,

No. 907 Resolution providing for a Contract or Contracts for the Reconstruction of Grant Street, Phase 2, from Sixth Avenue to Fourth Avenue, including sewer reconstruction, waterline reconstruction, necessary work on private property and other work incidental thereto; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation, at a cost not to exceed \$3,300,000.00, chargeable to and payable from Code Account EC 85-01.

Also,

No. 908 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting permission for himself and Fred Reginela, Alex Sciulli, Richard Connors, John Weres, Donald Kollmeyer, Steven Barczak, Joseph Tumas, Joseph Semieraro, Mark Stempkowski and Daniel Lockard to attend the Third Annual International Bridge Conference and Exhibit at the Pittsburgh Hilton Hotel on June 2, 3, and 4, 1986, at a cost not to exceed \$1,820.00, payable from Code Account No. 1482. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 909 Resolution granting unto Equitable Life Assurance Society, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, nineteen (19) trees in front of the Gateway Building and Hilton Hotel on a portion of the

sidewalk of Liberty Avenue in the 1st Ward of the City of Pittsburgh.

Also,

No. 910 Resolution granting unto Carson Plaza Associates, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a sidewalk encroachment on a portion of the sidewalk at 2117 East Carson Street in the 16th Ward of the City of Pittsburgh.

Also,

No. 911 Resolution granting unto Samuel and Janet Taylor, their successors and assigns, the privilege and license to construct, maintain and use at their own expense, a sidewalk encroachment on a portion of Eccles Street in the 16th Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 912 Resolution providing for the issuance of a warrant in favor of Page-Lambert Enterprises, Inc., Robert Hatch, President and Marie Hatch, Secretary, as the sole source of automotive parts not covered under contract, in an amount totalling \$3,025.60, payable from Code Account 1148, Automotive Parts, Department of General Services.

Which was read and referred to the Committee on Finance.

Mr. O'Malley presented

No. 913 Resolution providing for the issuance of 2 warrants in the total sum of \$12,256.50 in full settlement of claim of Sam Fibus and Betty Fibus for

taking of eminent domain, arising from damages sustained to the Plaintiff's property at 1501 El Paso Street, payable from Code Account No. 46, Judgments. (Sam Fibus & Betty Fibus - \$7,962.50 & Benjamin B. Wechsler, II, Esquire - \$4,294.00 fees, costs, & expenses).

Also,

No. 914 Resolution Repealing Resolution No. 274 of 1986 effective April 10, 1986 which provides for an Agreement or Agreements with an Educational Institution or Educational Institutions in connection with participating in a Work-Study program to help students integrate their educational program with work experience and also providing clerical assistance to the Department of Personnel and Civil Service Commission, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 915 Communication from Ed Walkowski, Manager, City Information Systems, requesting permission for 3 staff members to attend a two-day practicum workshop entitled "Structured Methodologies" June 4-5, 1986, at a cost not to exceed \$900.00, payable from Code Account 1043. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 916 Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for a "Summer Cleaning and Beautification Program" on public areas, sidewalks and related areas in

various Housing Authority Communities, at a cost not to exceed \$50,000.00.

Also,

No. 917 Resolution amending Res. No. 801, effective August 23, 1985, entitled: "Providing for an Agreement or Agreements with the Hill House Community Services, Inc., for the implementation of the "Home Security Program", including Block Watch Organizers, and the installation of locks and smoke detectors in the City", so as to increase the program allocation from \$304,000.00 to \$319,000.00.

Also,

No. 918 Resolution providing for an Agreement or Agreements with the Pittsburgh Clean Cities Committee, a non-profit corporation, for the purpose of employing economically disadvantaged youths to clean up and/or landscape City neighborhoods, at a cost not to exceed \$15,473.65, chargeable to and payable from the 1983 Community Development Block Grant Program, "EJB Summer Youth Employment Program" (CC-83-19).

Also,

No. 919 Resolution providing for an Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh and the "Pittsburgh Employee Ownership Charitable Trust Fund" to be the City of Pittsburgh's share of a local match of funding to develop a business plan for an employee owned and operated meat packing plant at a cost not to exceed \$15,000.00, chargeable to and payable from the 1985 Community Development Block Grant Program, "Unspecified Local Option" (CC-85-01).

Also,

No. 920 Resolution providing for an Agreement or Agreements with Miryam's, Inc., a non-profit organization and the Urban Redevelopment Authority of Pittsburgh, for the rehabilitation of a facility to be used to house the homeless at a cost not to exceed \$15,000.00, 1985 Community Development Block Grant Program, "Unspecified Local Option" (CC-85-01).

Also,

No. 921 Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979, as previously amended, so as to correct several Department Summaries in error on previous Resolution No. 201 of 1986.

Also,

No. 922 Resolution amending Section 10 of Resolution No. 167 effective March 7, 1983 as amended by Resolution Nos. 394 and 692 of 1983, by Resolution No. 940 of 1984, by Resolution No. 634 of 1985, and by Resolution Nos. 103 and 177 of 1986, so as to adjust several line items.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 923 Resolution approving a Conditional Use Exception under Section

993.01(a)A 9 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended to Duquesne University for authorization to construct a multi-purpose sport facility and a 778 stall parking garage on the southerly side of FORBES AVENUE between HOOPER and STEVENSON STREETS, 1st Ward.

Which was read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff:

Point of order. Mr. President, on the bill that was read on the parking lot, will you have to call for a public hearing?

The Chair:

No, it will be up in Committee in two weeks and we can discuss it then and anyone can ask for one.

Michelle Madoff:

Okay.

The Chair presented

No. 924 Petition from the residents of the City of Pittsburgh, requesting a public hearing pertaining to School-Based "Comprehensive Health Clinics" which dispense birth control drugs and devices to minor children. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which was read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 925

Report of the Committee on Finance for May 28, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 828

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Trumbull Corporation (Perry J. Dick, President) in the amount of \$45,443.47 in payment of Extra Work, being in addition to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street - Phase I; and providing for the payment thereof."

Which was read.

Also,

Bill No. 832

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants in favor of Duquesne University in the amount of Forty Thousand (\$40,000.00) Dollars for the Maintenance Management Seminar due to time constraints imposed in securing the appropriate personnel."

Which was read.

Also,

Bill No. 834

A Resolution entitled, "Resolution providing for the issuance of a \$1,175.00 warrant in favor of The Borough of North Braddock in settlement of claim for vehicle damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 835

A Resolution entitled, "Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Federal Mediation and Conciliation Service for a grant or grants in connection with the Labor Management Programs, at a cost not to exceed \$120,000.00."

Which was read.

Also,

Bill No. 836

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for consulting services to assist the City of Pittsburgh as a Washington, D.C. liaison and to work with various agencies of government for the benefit of the City of Pittsburgh, effective June 1, 1986, at an aggregate cost not to exceed \$16,000.00, payable from Code Account No. 1017, Mayor's Office, Miscellaneous Services, Index Code No. 101709."

Which was read.

Also,

Bill No. 837

A Resolution entitled, "Resolution amending No. 1230, Items E, G, & J, approved December 27, 1985, which authorized the sale of properties in Wards of the City of Pittsburgh. All of the properties are vacant lots."

Which was read.

Also,

Bill No. 838

Resolution entitled, "Resolution amending Resolution No. 202 E, approved March 19, 1986, which authorized the sale of property in the 17th Ward, being a vacant lot at 20-22 Enon Way, designated as Block 3-M, Lot 332, to Robin F. Grimm & Josephine Stenger, for the sum of \$750.00."

Which was read.

Also,

Bill No. 839

A Resolution entitled, "Resolution amending Resolution No. 109, Item B, approved February 17, 1986, which authorized the sale of property in the 5th Ward, being a vacant lot, located at 2217 Centre Avenue, designated as Block 10-P, Lot 122 A, to Cleveland P. Bates, for the sum of \$750.00."

Which was read.

Also,

Bill No. 840

A Resolution entitled, "Resolution amending Resolution No. 1230, Item K, approved December 27, 1985, which authorized the sale of property in the 20th Ward, being lots located at 522 S. Main and Violet Way, designated as Block 19-D, Lot 234, to Fred A. Niepp, Jr. and Sherry B. Niepp, his wife, for the sum of \$1,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of

Council being in the affirmative, the bills passed finally.

Also,

Bill No. 847

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 537, Philadelphia, PA 19105, in the amount of \$2,118.00, in payment for rental of equipment furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 926

Report of the Committee on Public Works for May 28, 1986 transmitting

sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 829

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, for the design, lease purchase, and installation of high pressure sodium street lighting for the Department of Public Works, for a period not to exceed five (5) years, Code Account 1545, Index Code 154500, Street Lighting, Department of Public Works, for payment thereof."

Which was read.

Mr. Wagner:

I'd like my comments brought forward from last Wednesday's meeting on Bill No. 829 for the record please.

(BEGINNING - MR. WAGNER'S
REMARKS ON BILL NO. 829 -
WEDNESDAY, 5/28/86)

Mr. Wagner:

Director, I am also happy to see this legislation come in front of us and the sooner we can get this accomplished, the better off we are going to be and the cheaper it is for the taxpayers.

I don't think there is any doubt about it, all recommendations made in regard to street lighting should be done; going back to the audit performed by the Controller's Office, I know our department put together an extensive report a year ago working with your department, working with the Mayor's people and all of the evidence indicates that this is the right way to go. The cost

of electricity is going to continue to increase and obviously, to reduce the amount of electricity used in street lighting, is the way to go with the conversion program.

I would simply request that in pursuing this, that we have had complaints from various residents throughout the City for the need for a street light in a particular area or one that has been changed from a particular area, moved to another area. I would simply request that all of those complaints be incorporated into this conversion program to re-assure those people that the proper illumination is being given on the streets where they live and in the neighborhood where they live. I don't know if you have a list of all those complaints, but I have quite a few of them myself and I would just simply request that they be incorporated specially into this conversion program.

Director Gaetano:

They all will be incorporated, Jack. I will make sure of that.

Mr. Wagner:

Good, thank you.

(END OF REMARKS)

Also,

Bill No. 830

A Resolution entitled, "Resolution granting unto Peoples Natural Gas Company, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, Four (4) Vaults to replace existing vaults on a portion of the sidewalks of Beechwood Boulevard, Aylesboro Avenue, Reynolds Street, and So. Linden Street in the 14th Ward, City

of Pittsburgh."

Which was read.

Also,

Bill No. 831

A Resolution entitled, "Resolution granting unto Carnegie-Mellon University, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a 54" Steam Line across a portion of the Right of Way of S. Dithridge Street in the 4th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 927

Report of the Committee on Planning,

Housing and Development for May 28, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 842

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, to the Podiatry Hospital of Pittsburgh for authorization to construct a two-story extension to the existing structure located at 215 SOUTH NEGLEY AVENUE, 8th Ward."

Which was read.

Michelle Madoff:

May I ask my colleague a question, Mr. President?

The Chair:

Yes you may.

Michelle Madoff:

Mr. Pollock, on Bill No. 842, does that require a public hearing on the Podiatry Hospital?

Mr. Pollock:

No, that's a conditional use; no public hearing on a conditional use.

Michelle Madoff:

Who has determined that, that they don't need a hearing?

Mr. Pollock:

The City Code.

Michelle Madoff:

There's no problem on that?

The Chair:

Right.

Also,

Bill No. 843

A Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performances of certain work in connection with the 1986 Community Development Block Grant Program; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 844

A Resolution entitled, "Resolution providing for the execution of a 1986 City Planning Department Community Block Grant Program Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh pursuant to which the Urban Redevelopment Authority of Pittsburgh will undertake certain work; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 845

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Hill Phoenix Associates for the sale of Parcels 63 and 64 in the 3rd Ward of the City of Pittsburgh in Redevelopment Area No. 31 (COMMERCIAL REHABILITATION)."

Which was read.

Michelle Madoff:

On Bill 845, you've not been here, for years that Phoenix Shopping Center has come back to haunt us and haunt us and haunt us. It's just never been a go. What are we planning to do now that will be different than what we've done before and how much money has been poured in there to date?

Mr. Pollock:

What's different this time is that this is a joint effort between the non-profit Neighborhood Development Corporation, the Hill District Community Development Corporation, and a private individual, a Mr. John Conley who is an attorney and a real estate developer and a professor. They are going to be operating the facility themselves; they'll be leasing it themselves. They have obtained tenants already and I can tell you that they obtained the State Liquor Control Board as a tenant and the Post Office as a tenant. Those are two very, very liable, long-term leases. The Post Office and the Liquor Control Board aren't going anywhere so, with those two mainstays along with the supermarket which they will be supporting -- And they've had a study done to show how the supermarket could better maintain itself in the community, what products it should buy,

what products it should not buy. They had an intensive study done that is going to be used to support the store now and the whole community is behind it and I think I, for one, as well as people at the Authority and people in the neighborhood are very, very optimistic that this will be the last time that Hill Phoenix ever comes before us, that the Hill Phoenix Shopping Center will be a viable plaza. They have a good developer who is going to be handling the management of it. It's going to be a good operation.

Michelle Madoff:

I, for one, and I'm sure all my colleagues, are so tired of seeing that Phoenix Shopping Center fail when they so desperately need it in the community and we'd like to see it go. But if memory serves me well, this Council has voted hundreds of thousands of dollars into that project which has continuously failed.

I would like to see an amendment put into this bill that says that this is the last time Council will fund this project.

Mr. Pollock:

Michelle, we're not funding anything here. We're not putting any of our money into it. It's being sold.

Michelle Madoff:

I'm sorry, you know, I wasn't here when it was --

Mr. Pollock:

That's okay --

Michelle Madoff:

But I see \$150,000 being located to the Third Ward. I believe that is repayment to us of monies that we have put out of UDAG dollars. I'm assuming

we're just recycling the money. You can say that we're not making a contribution but, in essence, it is our money they're recontributing.

Mr. Pollock:

This is the sale of the property to this joint venture, the private entity and the neighborhood corporation.

Michelle Madoff:

What I'm saying to you, if somebody wanted to buy that property and nothing was going to happen to the City, we'd be getting that money back. So, in essence, we're just recycling the money and I have no problem with that. But I want to say "no more" after this, that you cannot come back to the City of Pittsburgh and say, "Phoenix Shopping Center, Phoenix Shopping Center, Phoenix Shopping Center". You know, some ideas work, some ideas don't work. I hope this works; I know every member of this Council hopes it works. And if there's anything we can do to make it work, let's do it. But at some point we've got to say --

Let me ask you a question. I don't want to hold the bill, Mr. Pollock, and I don't think you want to either. Am I correct?

Mr. Pollock:

Right.

Michelle Madoff:

Does anybody from the Budget Office know, off the top of their heads, ballpark, how much money has been put into the Phoenix project to date?

Mr. DePasquale:

I think the figure is over \$2 million.

Michelle Madoff:

Over \$2 million?

The Chair:

That's from the URA, not the City of Pittsburgh.

Michelle Madoff:

But it's all the same money. It's over \$2 million. I have no problem. I don't care if they want another half million dollars. I don't even care if it's a million that you give them if that's what they need. But it should be okay, we're behind you, we're with you, let's do it, but if it doesn't work, please, let's put some townhouses on that property, let's put whatever else, maybe a park. Let's do something but let's not keep coming back for that money to this committee.

So, my recommendation is that we have an amendment to say that it's the last time it will come to Council for money for this.

Mr. Pollock:

I don't believe that we can bind future Councils from action.

The Chair:

We can't do that but I think he explained it quite well that you've got the United States Post Office, you've got the State Liquor Control Board, and when they come in, they sign leases that they're there to stay. And I think now it will finally happen.

Michelle Madoff:

But you know we've had shopping centers there over and over and over again.

The Chair:

Not this type of —

Michelle Madoff:

Let me ask you one last question then, on the same subject.

What kind of security is going to be supplied? That was the whole key to this thing. That's why it didn't work before.

The Chair:

Are you talking about personal security?

Michelle Madoff:

Yes, body, you know, personal.

The Chair:

That's up to the developer.

Michelle Madoff:

Mr. Pollock, do you know anything about that?

Mr. Pollock:

That was never brought up.

Michelle Madoff:

But that's why it didn't work before. It became a haven for whatever problems because there was no security.

Mr. DePasquale:

If I may, in accordance with what Michelle has said, they had proposed, if I may ask Mark, a Post Office and a liquor store five years ago there. What held that up?

Mr. Pollock:

I don't know what held it up before but they have signed leases now.

Mr. DePasquale:

Since Mr. Conley moved into the picture they got the money?

Mr. Pollock:

Yes.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 928

Report of the Committee on Parks and Recreation for May 28, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 779

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the South Side Sooners Youth Football Program for professional services for 1986 at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1838 Miscellaneous Services, (Index Code 183806) Department of Parks and Recreation, and transferring \$2,000.00 from Code Account 10, Accounts Payable Prior Years (Index Code 001008) to Code Account 1838 Miscellaneous Services (Index Code 183806)."

---(SPONSORED BY MR. WAGNER)

Which was read.

Mr. Wagner:

I'd like to request that my comments be brought forward from last Wednesday's meeting in regard to Bill No. 779.

(BEGINNING - MR. WAGNER'S
REMARKS ON BILL NO. 779 -
WEDNESDAY, 5/28/86)

Mr. Wagner:

The information that has been passed around, I know Mr. Givens requested it. I am not sure if that is sufficient, but I would just like to add to that that this program is a very worthy program. It's one of the two programs left in the City of Pittsburgh. In addition to the granting of these dollars, the organization itself goes out and raises several thousand dollars through raffles, through donations within the community each year and it really relates, I think, to what this Council wants to do in the neighborhoods, which

is to provide recreational types of activities to various youth groups within those communities.

It certainly attacks many of the problems we have in the City and exists in this country which relate to loitering, which relates to narcotics which relates to many other things. I firmly believe that the dollars here proposed in this legislation will be well spent by the City of Pittsburgh.

(END OF REMARKS)

Mr. Givens:

I'd just like to thank the President of the Sooner Football Team for forwarding the information to myself and has distributed to Councilmembers last Wednesday on how this \$2000 will be expended. It was most appreciated.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 929

Report of the Committee on Public Safety for May 28, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 848

A Resolution entitled, "Resolution amending Resolution No. 744 and No. 952 and approved respectively August 15, 1979 and September 24, 1982, No. 744 entitled 'Resolution creating a Special Trust Fund for the Receipt and Disbursement of funds for Training and Related Expenses for Police Recruits, and providing for the deposit of the funds in a bank account;' amended by No. 952 to include Disbursement for In-service Training Trust Fund: By altering the designation of the trust fund created and amending and authorizing additional payments into and out of such trust fund and by renaming the trust account the 'Public Safety Training Account'".

Which was read.

Mr. Wagner:

Mr. President, I'd like to make a motion to put that bill back into Committee.

Mr. DePasquale seconded the motion.

Michelle Madoff:

May I ask the reason why?

Mr. Wagner:

Due to the lack of information of

the bill that I have attempted to obtain.

Michelle Madoff:

No problem. Just asking.

WHICH MOTION PREVAILED.

MOTIONS AND RESOLUTIONS

Mrs. Masloff presents

No. 930 Resolution approving the appointment of George Henry Kniss, 2177 Whited Street, Pittsburgh, Pennsylvania 15210 for the remainder of a three-year term to expire December 31, 1987, as an at-large member of the Pittsburgh Cable Communications Advisory Committee.

Mrs. Masloff moved to approve the appointment.

Mr. Wagner seconded the motion.

Which motion prevailed.

The Chair:

Before we go on, the resolution that was going to be presented by Mr. Givens has been withdrawn by Mr. Givens.

Michelle Madoff:

I have two resolutions, Mr. Chairman. The first one I would appreciate if Mr. Perry would read, please, and I'd like to comment on it after he reads it.

Michelle Madoff presents

No. 932 WHEREAS, elected officials of the Commonwealth of Pennsylvania and its political subdivisions are currently excluded from

protection afforded to all other employees under the Pennsylvania Workmen's Compensation Act and the Pennsylvania Occupational Disease Act; and

WHEREAS, such an exclusion makes elected officials in our state and local governments vulnerable to serious problems of occupational health and safety;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh petitions the General Assembly of the Commonwealth of Pennsylvania to amend the Pennsylvania Workmen's Compensation Act of June 2, 1915, P.L. 736, Article I, Section 104, as amended, and the Pennsylvania Occupational Disease Act of June 21, 1939, P.L. 566, No. 284, Section 104, as amended, to include the presently excluded "elected officers of the Commonwealth or any of its political subdivisions";

AND, BE IT FURTHER RESOLVED, that this amendment be specifically applicable to elected officers of Cities of the first and second class.

Michelle Madoff moved to adopt the resolution.

Mr. Wagner seconded the motion.

Michelle Madoff:

Comment. No one knew, including myself, that elected officials were exempt from Workmen's Comp because you know we get deductions every week for almost everything. If I'm not mistaken, I think our paychecks even show a deduction for Workmen's Comp; I'm not quite sure about that. But we're deducted for everything like everybody else is who works in jobs.

Very simply stated that if our President, Mr. Woods, were to have an accident that disabled him for life, he would really be up a creek. He would not get anything but his medical bills which, by law, must be reimbursed should he have a claim against, in a lawsuit, but he would not have any of his bills or his salary or anything paid for the rest of his life. If he could not work, if he was paralyzed, it would just be too bad.

The reason this bill was passed this way originally, and we've done a little research and I must thank Mr. Pollock for putting me in the right direction, was that originally there were small communities that meet twice a year, they have a borough president and maybe three people on the City Council and if those people were to be injured on the job there was no justification out of Workmen's Comp for people who work maybe 20 hours a year or five weeks a year or what have you. But unfortunately, because of that thinking, the first and second class cities, meaning cities like Philadelphia and Pittsburgh, were exempting elected officials from Workmen's Comp. What would happen is that we would not have sue to protect ourselves. In other words, our bills would be paid, our medical bills, and if our \$40 million, we now have over \$40 million in Workmen's Comp that go to firemen and policemen and City employees who have been hurt on the job, secretaries, people who have tripped over wires where tables have been removed; I know of once instance myself. People like Eddie Albert who left the City who had heart problems, on Workmen's Comp. One of our major employees and one of our Public Works Department is going in for a quadruple bypass. He's taking three months off; he may not return. I certainly hope he's well enough to return. He needs covered under Workmen's Comp. But the City of Pittsburgh elected officials are not

covered and if we were hurt on the job and had no other income, no other pensions from any other sources or other employment, we would really be in very, very bad shape.

And for the public who may not know, I've been on this Council almost eight years. As a matter of fact, my anniversary, folks, is June 1st. I'm now eligible for the grand pension of \$4000 a year. And that's probably a lot more than most people would get working eight years in a job so I am not complaining, I'm just saying that I don't think anybody can live on \$4000 a year and if you have to live on \$4000 a year without Workmen's Comp, if you've been a dedicated, decent employee, if the public saw fit to elect you, I think we should have the same kind of coverage that corporation executives have. Do you know that many presidents and board members of major companies are resigning because they can't get protection insurance and that they are liable for mistakes banks make or companies make?

In essence, I'm saying that we elected officials should have the same insurance that if Mr. Givens has to have heart surgery and is out, it takes \$15,000 in salary which I think he's entitled to because he was elected — the pressure of the job, as he told the television cameras, caused him to have great problems with his heart — that if Mr. Givens could not work and did not have a pension from the service and didn't have real estate holdings, that Mr. Givens should be covered under Workmen's Comp as any other City employee. And I'm using his name because Mr. Givens is the one who objected to my having those who put me in office pay my bill. And I should not be put in the position of having to rebut to both newspapers and still be negotiating with my attorney as to what further action I will be taking

because there will be further action.

Mr. DePasquale:

Mr. President, there are two problems with Michelle's resolution. Number one, under the present time, the elected officials of the state of Pennsylvania are paid a salary and they're paid whether they're there or not, as long as they're excused for their absence by their colleagues.

The other is that you couldn't very well single out the City of Pittsburgh and the Councilpeople, if not all the elected officials in the state of Pennsylvania. You couldn't just pass a bill or a law stating only Pittsburgh and not all the rest of the elected officials in the state.

Michelle Madoff:

May I respond on that point, please? Mr. DePasquale, your point is very well taken. That's why it is worded to include all employees. I believe the wording says all other employees under Workmen's — all elected officials, those that are excluded to be included. In other words we would not single out Pittsburgh because Philadelphia is a first class city and we are a second class city. To have all first and second class, all elected officials included. And you're absolutely right. And if that is not clear I'm not married to my words and that can be clarified. This is a wish. We're asking to petition the state of Pennsylvania Legislature to include all elected officials of first and second class cities, not the little boroughs and townships who should not be included.

Mr. Givens:

I could start indicating all the disabilities that I had but I think the newspapers might have a good field day with it in my next election so I'll refrain

from indicating what some of those disabilities were but they were numerous, after three combat missions and three tours, etc., Viet Nam twice and to Thailand along with certain Central and South America and over in the Congo that this country is just beginning to publish right now because it was a classified mission and I can't even discuss it here today.

I didn't say yes or no on this particular resolution and the fact, I think it has rather legal implications to it, not just simply to the legislative body of the state of Pennsylvania to say yes, they can do it or no, they can't do it. Hopefully, the author of this particular resolution would hold it. Really what I need is some information from our Legal Department as to what are some of the ramifications to saying yes to this bill or saying no to it. I need more information and this resolution before us, it's like voting for something in the blind, without knowing everything about it.

Yes, there is a bit of a problem on the one hand. On the other hand, all elected officials in the City of Pittsburgh, if they incur any type of injury while they're an elected official and on the job especially, that individual is compensated through disability retirement, the same retirement that I've gotten from the Federal Government. Elected officials also are compensated under the City of Pittsburgh to my knowledge.

The one thing that threw me a curve ball the other day was that I thought that to retire from the City of Pittsburgh one had to have eight years, at least municipal employees which we kind of come under their umbrella. But the Solicitor for the City so indicated it takes ten years to be able to get a disability pension and that's something that possibly this Council could rectify

itself. I think when anybody gets injured in this City, to my knowledge, only the policemen and the firemen and possibly the medics, I'm not sure, have, if they get injured, that they're covered for compensation or retirement, disability retirement. Some of the municipal employees, I don't think, have that same guarantee.

So, it is an area that should be explored and can be explored and I think Michelle is just beginning to open that door to possible situations that not only we as elected officials can get into but also I think some of our municipal employees are falling through the crack. And even beyond that, many of wives of the men who serve and now the women who serve, the families are not being compensated in many cases if a person is killed on the job. Take a garbage person, for example, who got run over over there in the Northside. His family was not compensated. Yes, a little compensation, but nothing to take care of the wife and the widow and the children of the deceased member. And that is something that I think this Council should be looking into and very seriously. But it costs a lot of money too.

Michelle Madoff:

I would like to respond to my colleague that when I drafted the bill I called Mr. Danny Pellegrini and the attorney who was assigned to the case. We were referred back to Mr. Pellegrini who had absolutely no problem with the bill.

The bill says very simply that we're petitioning the Pennsylvania Legislature to include working major bodies of all cities to cover all elected officials, not little townships and not little boroughs that meet occasionally, the Philadelphia and the Pittsburgh type cities that are

excluded when the elected officials do not have Workmen's Comp. And it is a matter of record, and I can give you the names of the people who were not firemen or policemen who were secretaries of aides who tripped and who have been completely out of work for years, cannot function at all, cannot get jobs. It has been devastating and they are collecting, I believe, two-thirds of their salary tax exempt.

I do not know of any policy that would cover a member of Council who has served for eight years. I don't know if there's one that covers you for ten years. My understanding is that there is nothing on Workmen's Comp that covers any elected official, the reason being, Mr. Givens, that in San Francisco, for example, when they went in and shot an official, a City Council member. City Councilpeople are frequently like Mayors, and we've talked, I believe our President of Council, in our meetings, as you know, we have talked about having some kind of security detectors of people coming in the room because people sometimes misunderstand who passes bills and who has the authority to enact those bills.

All I'm saying is that no member of this Council should ever again have the humiliation and embarrassment, after being pictured in the hospital, being carried out of here by the paramedics, of having a columnist say that I am bilking the City taxpayers out of \$15,000 and they'll remember that when I run again, and not in the marathon. That is libelous and it would never have happened if we were covered under Workmen's Comp because there would be no need to have a settlement.

Furthermore, sir, when you receive your medical monies for disability, Blue Cross and Blue Shield's money must be reimbursed. It says so on your bill, once

you have a claim settled, whether it is a private claim or a workmen's compensation claim. They are reimbursed. But, when I go to a doctor in Washington, D.C., a special clinic, sent by my doctor for special therapy and they charge \$90, there is no reimbursement. When I go to my physician on an out-patient basis, there is no reimbursement. When I went twice for therapy on my neck and arm, there was no reimbursement. The chances that on a break you will have arthritis is practically 90 to 99 percent; there will be no reimbursement.

I believe that we ought to be covered and we ought to petition the Legislators to cover us under Workmen's Comp and we should not be treated separately and apart and look like, as Mr. Ferlo and those political enemies of this Council would like to make us look, like freeloaders and like thieves and like we're trying to take advantage of people because attorneys have come up to me in the street and said, "I would be happy to testify for you at any time; what you're settling for is ridiculously low." And I don't think that's the issue before us; I just wanted to get it out of the way and I've been made to look like the most horrendous person in this world and it's only the thing you did, that if they think it's bad they remember. They don't remember that you light garages or that you get money for paramedics; the things that you do is always the negatives. And I urge this Council to take a stand right here and now because this is a wish bill, to just vote that we petition the Legislators to include us in Workmen's Comp. And I call for the vote.

Mr. Wagner:

Mr. President and members of Council, in understanding this resolution, I believe that it's very proper, I think it's very timely, and again, I think our state

is behind the times in not having legislation of this type. It took a situation on this Council where we had a judgment in front of us and we were sitting almost as the trial and the jury. And I don't believe anyone on this Council is capable of doing that. I believe that should be done by the Worker's Compensation people in the state. I believe they should determine if someone should receive just payment for an injury and I think that's what our colleague is trying to accomplish here. She's trying to say that we should have a state law that covers all employees and does not exclude elected officials.

Mr. DePasquale:

Mr. President, it has no bearing on the legislation or the resolution that Michelle prepared but she hit on the fact that in San Francisco a Councilperson and the Mayor were killed in the Council Chambers. They call them Superintendents or whatever over there but they're still Councilpeople.

I said some time ago, and I kid around a lot but I was serious about the matter, that day that we had the infamous hearing when we saw Ferlo dragged out of here, one of the people at the hearing left the room and was found to carry a gun. Now, when I said to the policeman, "I understand he had a gun" he said, "Yes, but he had a permit." Then he came over and apologized and said, "I'm sorry; obviously he could still use it if he has a permit or whatever."

I mention then a screener for hearings right at that door there and that door here, and check everybody coming in and if anybody has a weapon it will show up on that screen. I'm very serious about it. It's going to be too late if some nut gets in here and starts shooting. What are they going to do about it then?

Michelle Madoff:

Mr. DePasquale, if you would introduce that as a motion I would be happy to support you in it.

But I'm asking to have a vote on my bill and I'd like to say one last thing if I may be so indulged because I think what I've been put through I think I'm entitled to say this.

If it had been an elderly woman or man who is fragile who tripped on that wire that had water or Coke or something on it with no barrier and, as you know, our cable company came in before the three commercial networks 2, 4, and 11 and showed how they corrected their problem, admitting that it was gross negligence. That person could have been killed and it would not be a matter of a \$15,000 claim or whatever the claim will be; it could be a matter of something of greater magnitude and someone could have been really hurt grievously. Fortunately, I have most of the use of my arm; I have residual problems which as yet are undetermined. But I really think that we ought to take it as my colleague, Mr. Wagner, said, out of this arena and put it where it belongs, either in Workmen's Comp -- I have taken the advice of my colleagues and even that of Mr. Ferlo so I would not be put through a three ring circus and have to hire attorneys and lawyers to come and attend a public hearing that he called for that I couldn't even attend, as my attorney would not let me be present. So, I would urge you to vote for this bill.

Mr. Givens:

I had asked the author of the bill if she would hold this for a week or two weeks and I put that in the form of the motion and for the reason, Mr. President, that I need to really get some legal

advice on this particular thing for this reason: As a legislator and working with the Pennsylvania Workmen's Compensation Act, the same with any elected official, we are in office for a specific period of time and as a result we are not classified as an employee of the City of Pittsburgh although we get other benefits, rights and benefits of the City. But as elected officials, all of us, including the State elected officials, have a termination of office and Workmen's Compensation is something for a person that has a career, generally speaking, in a particular field of operation or a particular field of industry. I don't think that the Legislators can be put in that or do I feel, and this is off the shoulder, that I don't think the Legislators of the State of Pennsylvania want to get into this thing because now they're legislating their own type of protection which they will get. And generally that's not a good position to put an elected official in who must go back to the people.

As I've indicated here earlier, this City does compensate elected officials if they are injured on the job with a certain amount of years in as an elected officials. They can go on disability retirement. That is the safeguard that any elected official has. If they're injured seriously enough or if that injury is such that we feel that we'll have disability before our term expires, that individual then must resign because of that disability and then take whatever disability the City and the Pension Board would so offer him like any organization.

The Compensation Act is something I don't think that the elected officials should be under and that's why I ask the author to hold this for a week, but in doing so, Mr. President, you have to ask that the second be withdrawn and that the maker of the motion hold it for two weeks. Otherwise, I cannot vote on

this today as presented.

Mr. Grabowski seconded the motion.

Michelle Madoff:

I'm not withdrawing my motion and the reason for it is, I will repeat, Mr. Givens and I'm looking around the room and I guess Mr. DePasquale are the only other two people --

The Chair:

I said no more debating.

Michelle Madoff:

I'm sorry, sir. All I'm saying is that they have been here 12 years and many people don't work in jobs for 12 years.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mr. O'Malley	Mr. Woods
	(Pres't)

AYES 6 NOES 1

(MR. GRABOWSKI VOTING NO)

(MR. GIVENS ABSTAINING)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Michelle Madoff:

I'd like to ask Mr. Tom Breucken to please join me.

I want everybody to know that this award is being given to Mr. Breucken and not to Mr. McNamara and Mr. John Marotto who were present with him during this episode that we're going to talk about and if I read the resolution you'll understand why. Mr. McNamara was present, Mr. John Marotto of Public Works was present, but the person who saved the day was Mr. Breucken.

Michelle Madoff presents

No. 931 WHEREAS, on May 16, 1986, the Borough of Brackenridge experienced a major blockage in their water system; and

WHEREAS, 15-20 tons of debris in the line prevented water from being pumped to their residential and industrial users; and

WHEREAS, due to a system of interconnecting valves, this problem jeopardized the water supply of fourteen communities in the Alle-Kiski Valley; and

WHEREAS, the Secretary-Manager of Brackenridge Borough called upon the City of Pittsburgh for assistance in restoring the pumping system; and

WHEREAS, at midnight, Mr. J. Thomas Breucken of the City of Pittsburgh Water Department, with over thirty-one years of field experience, used his technical and engineering expertise in the area of hydraulics; and

WHEREAS, Mr. Breucken thereby solved the problem of an inoperable priming system by adding an adjunct gas pump to the major pump to create the

necessary suction for the pump to resume operation.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby recognize and honor Mr. J. Thomas Bruecken as having performed as a Goodwill Ambassador for the City of Pittsburgh.

Michelle Madoff moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Michelle Madoff:

I personally want to thank you very, very much for using your knowledge and I also am thrilled that the people who didn't know how to do the job had enough smarts to call on you.

Mr. Breucken:

I appreciate this honor, of course, and I thank everybody for your interest, especially Michelle Madoff and her interest in the Water Department's activities. This is something I've been doing and it's very embarrassing to have an award for something that we normally do but I'm very happy to be a representative of the City of Pittsburgh and the Department of Water as a Goodwill Ambassador as goodwill in the surrounding area. Thank you very much for everything.

Mr. Pollock:

On the same subject. Is it true the Borough of Brackenridge is changing it's name to the Borough of Breuckenridge because of it?

Mr. DePasquale:

Congratulations, Tom.

Mr. Givens:

Mr. President, I withdrew my resolution on the storm that hit over the weekend, especially Friday evening, that devastated many of our northern suburbs. I'm sure that many of us probably know some of the people personally that were affected in this great tragedy where eight lives had been mournfully lost, two still unidentified to my knowledge, and over 700 homes and 100 businesses really inundated out there.

I will be coming in with some type of a bill working through the Salvation Army people who have been really doing an excellent job out there. I visited the sites, a couple of the sites, over the weekend and the volunteers of the people in those communities, the volunteer Fire Department and the Police Department, it was absolutely wonderful to see them out there. As always, the local people have to take up the brunt of it until the various other agencies can respond. Looking at the Etna people and the Shaler people and the people along that Saxonburg Creek area, it was something that when you see neighbors and friends pitching in — I know the Blarney Stone out there, Tommy O'Donahoe, and they were supposed to have a wedding out there, one of the members of our staff was even in that building when the water raised up. He had calmed those people down. People were being rescued by boats, etc.

It's something when the full story comes out on that particular disaster, we're going to have many heroes and a lot of heroes will never be recognized and I hope that the City of Pittsburgh and this Council can make some contribution as

we did previously in Hurricane Agnes when it came through here and we helped out the Salvation Army who does not charge for any services that they give out. It's only through those donations to the Salvation Army, and when something of this magnitude comes up with this many people affected in a small geographical area, they deplete their funds very quickly.

So, I will re-introduce this in the form of a bill later on next week. Thank you, Mr. President.

The Chair:

I'd like to remind all members of Council that we have a meeting in our Conference Room immediately following the adjournment of this meeting.

And on the motion of Mr. DePasquale

Council adjourned.

Municipal Record

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No. 23

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk
Pittsburgh, PA
Monday, June 9, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Pollock presents

No. 979 WHEREAS, on May 31, 1986, Randy Zotter, President of the Mexican War Streets Society and Vice President of the Central North Side

Neighborhood Council responded to cries for help of a young woman outside his home on Monterey Street; and

WHEREAS, Randy saw the young woman being accosted by two assailants who had her pinned to the ground and were taking her purse and rings; and

WHEREAS, Randy Zotter, himself a man of slight build but enormous courage and heart, ran to the woman's rescue, and as a result of his interceding, the culprits abandoned their assault; and

WHEREAS, during his gallant rescue, Randy sustained numerous and significant injuries to and about his body necessitating his treatment at a hospital; and

WHEREAS, in addition to his bravery, Randy Zotter further demonstrated his citizen participation and community activism by prevailing upon the somewhat reluctant young woman to press charges against the assailants.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh joins with the citizens of Pittsburgh in recognizing and honoring Randy for his courage, concern, and compassion; and

BE IT FURTHER RESOLVED, that City Council cites Randy Zotter as an example of a citizen who "gets involved" and hopes that citizens of this great City "get involved", although they do not have to risk life and limb to do so.

Mr. Pollock moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Pollock:

I just wanted to say that Michelle was going to similarly recognize Randy for his heroism being not only a Councilperson but a citizen who similarly gets involved and stops and helps people in the street. I just beat her to the punch on this by a couple of hours.

Michelle Madoff:

I just wanted to say that Randy Zotter has been involved in community efforts for a very, very long time and this is not just the first time that he has done something heroic. He's taken very strong positions; sometimes Council has agreed with him, sometimes not. But he comes back and he works with us and gets into the system and tries to change the system rather than trying to beat on us from without and I really appreciate that. He doesn't get himself carried out of this room very often.

Thank you, Randy, for being a real good citizen.

Mr. Givens:

Mark, I was right behind Michelle, I think, on this. I found out naturally when he was in here this last week giving testimony. And naturally, with a black eye, one must ask the question why. My staff found out why and I commend you because this is what it takes, for people to be involved with our society. And you don't know what risk is involved out there. I take my hat off to you, Randy, for a fine job. Being of small stature and wanting to take on anybody in this life

means that you're not afraid. When people are being abused our people have great concern out there and I think this is a type of an award that this City Council is proud to give to any of its citizens, especially you. Thank you.

Mr. Zotter:

Mr. President, Councilman Pollock, members of Council, I'm honored to stand here before you and receive this award. For me, I was only doing what I was raised to do. I am very lucky I have parents who took the time to teach me things such as compassion and understanding and the idea of getting involved. So, when I went out there, I was just doing what all of you are capable of doing and I think all of you will do some time in your life when something such as this happens.

There are people out there who do this every single day and they happen to be called Police Officers. Those officers take the time; we have on the Northside, officers who get involved with us. Chief Donald Albrecht has taken the time to work with us and many, many times has kept the community going when we wanted to step back and say, "This is too much for us."

My parents just took the time to teach me and show me that it's important to get involved and to help whenever we can. And, frankly, the only thing I think is that I forgot to duck.

Members of Council, we do think that they will be apprehended and we're pushing for that sort of thing. That's where community involvement comes in and we have to keep working on that. And I guess through Council and the Mayor's Office, this City will continue to improve because of the neighborhoods and the way the neighborhoods are

organized through places such as the Neighborhoods for Living Centers and all of you taking the time to meet with us and discuss issues.

So, Council, thank you very much.

Mr. DePasquale:

Mr. Zotter, I just want to say that I'm very relieved you didn't get that black eye from Tom Mistick.

The Chair:

Thanks, Randy.

Mr. Givens presents

No. 978 WHEREAS, on April 23, 1986 the Boy Scouts of Pack 40, Troop 40, Three Rivers District Allegheny Trails Council joined with Councilman Richard E. Givens, his staff, Mary Ann Ceoffe, a Board Member of the Lawrenceville Development Corporation and Lawrenceville residents Jane Zalewski and Lawrence Coyne, in accepting the Pittsburgh Clean City Committee's City Council Challenge '86 Pick Up Pittsburgh; and

WHEREAS, Cubmaster-Assistant Scoutmaster Thomas McGovern, Scoutmaster Michael Murphy, Life Scouts James McGovern, Joseph Murphy, Michael O'Hara and Sovath Sim, 2nd Class Scouts Daniel Landers and Anthony Pelich, Tenderfoot Scouts George Kane and Robert Moan, and Cub Scout Michael Hazel demonstrated that by working together we can create heightened awareness of the litter problem, find the energy and dedication to work toward a solution; and

WHEREAS, the rewards of winning 1st place in the City Council Challenge '86 were intensified by the strong sense of pride we all felt by working together

with the leaders of our future, the Scouts, and honoring the leaders of our past, by cleaning the area around the Doughboy, which immortalizes the members of the Armed Forces of World War I.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and members of the Council of the City of Pittsburgh join with the citizens of Pittsburgh in recognizing the dedication of the scout leaders and residents, and look with pride on the Boy Scouts in promoting the goals of the Pittsburgh Clean City Committee and Keep America Beautiful.

Mr. Givens moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Givens:

Mr. President and members of Council, there's one person that's not here with us today and I know she would like to be, she's in the hospital, and that's June Coyne. She was very instrumental in getting this particular group together along with two of my staff members, Linda Noszka and Aggie Brose. They all pitched in, got their blue jeans on and their gloves and the shovels and the brooms, and it's a very good thought, I believe, that when the young Cub Scouts and Boy Scouts, along with the Johnny Doughboy World War II statue — It's surprising, Mr. President, that I drive by there every day and the place has remained clean and almost litter-free since the time when these kids came in and did their actual work.

I'd like to call up Mike Murphy, the Scout Master, to say a few words and then I'll have Mike O'Hara and Michael Hazel to say a few words and what they

felt like when they were out there working in the City streets and as vehicles passed by and busses, and we got a couple catcalls out, you know, "Go to it there, people of Pittsburgh", and it was really interesting to see the reaction of the people seeing anybody out there cleaning our City streets up. So, Mike, if you might say a few words.

Michael Murphy:

I'd like to thank Mr. Mayor and members of Council, especially Mr. Givens and Mrs. Coyne who coordinated with our troop to do this project. It was a lot of work, a lot of fun, different; but that's part of being Boy Scouts. Scouting in America is community service, devoted to your community and to your nation. One day these guys, all these guys, will be leaders somewhere. I thank you.

Michael O'Hara:

We were chosen to clean up an area, the monument area of Lawrenceville, and we did and I guess we felt good about it. We're just asking that every time you see a piece of litter, pick it up, because there's not enough Scouts to go around.

Michelle Madoff:

I wonder if we could get the Boy Scouts on a rotating basis to go down to the Courts when the people who are leaving their garbage six feet high Downtown, which is the living room of the City, and watching the perpetrators get a little slap on the wrist and say, "I was out there picking up the litter, your Honor; how about fining them or putting them in jail over night?"

Mr. Givens:

Michael Hazel, could you come up

and say a few words?

Michael Hazel:

I don't know.

Mr. Givens:

What was your opinion, what did you think of when you were down there picking up those papers? What went through your mind, especially a week or two later when you saw a piece of paper on the ground?

Michael Hazel:

I don't know.

Mr. Givens:

Okay, we won't put you on the line there, Mike. That's very good. Just the fact that you got all dressed up today, came down here and presented yourself before the Council of the City of Pittsburgh, I think, gives tribute.

Mr. Wagner:

I'd just like to take a moment and congratulate all of you, particularly you young people. You really set an excellent example to young people in this City by going out there and picking up litter. It's throughout the City and with other young people your age seeing you do that, it really means something. Thank you.

Mr. Givens presented

No. 934 Resolution providing for an Agreement or Agreements with the Salvation Army for the Flood Relief Fund for food administered by the Salvation Army at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account 1401, Miscellaneous Services, Department of Public Safety; and transferring \$50,000.00 from Code

Account 41, Refunds - Real Estate Taxes, to Code Account 1401, Miscellaneous Services, Department of Public Safety. ---**(SPONSORED BY MR. GIVENS)**

Which was read and referred to the Committee on Finance.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 935 An Ordinance amending the Pittsburgh Code, Title Four - Public Places and Property, Article I - Streets and Sidewalks, Chapter 419 - Regulated Activities, Section 419.01 - Obstructions, by providing for an exception in the Produce District.

Also,

No. 936 Resolution providing for an Agreement between the City of Pittsburgh and the Borough of Green Tree in connection with the resurfacing of Elmdale Road between Warriors Road and approximately 600' North and providing for the payment by the Borough to the City, of the Borough's share of the costs incurred.

Also,

No. 937 Resolution providing for an Agreement between the City of Pittsburgh and the Borough of Mt. Oliver in connection with the resurfacing of Ottilla Street between Penn Avenue and Horn Avenue and providing for the

payment by the Borough to the City, of the Borough's share of the costs incurred.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 938 An Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, Chapter 161, Contracts, by adding Section 161.20, Minority Business Enterprise. ---**(SPONSORED BY MICHELLE MADOFF)**

Also,

No. 939 An Ordinance amending the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, Chapter 161, Contracts, Section 161.19(a), Development Proposals; Minority Participation Plan, by establishing certified and specific minority participation requirements in development proposals. ---**(SPONSORED BY MICHELLE MADOFF)**

Which were read and referred to the Committee on General Services.

Mrs. Masloff presented

No. 940 Resolution transferring the aggregate amount of \$460,000.00 from Code Account 41, Refunds Real Estate Tax, in the Department of Finance to Code Account Special Parks Program Trust Fund, the amount of \$70,000.00 and to Code Account Special Summer Food Service Program, the amount of \$390,000.00 in the Department of Parks and Recreation. These funds are to be used in connection with the Summer Lunch Program and are reimbursable by the Pennsylvania Department of Education.

Also,

No. 941 Resolution authorizing the issuance of a warrant in favor of Allegheny County Sanitary Authority in the amount of \$1,800.00 for a permit fee at the Pittsburgh Zoo, chargeable to and payable from the Pittsburgh Zoo Membership Trust Fund, Department of Parks and Recreation.

Also,

No. 942 Resolution providing for the establishment of an Imprest Fund for Phipps Conservatory in the amount of \$1,000.00 for use in making change in connection with the admission fees and concession area sales, chargeable to and payable from the Phipps Conservatory Trust Fund, Department of Parks and Recreation.

Which were severally read and referred to the Committee on Finance.

Also,

No. 943 Resolution providing for authority to enter into an Agreement or Agreements with various contractors for a July 4th Synchronized Music/Fireworks Show in conjunction with the Department of Parks and Recreation, Special Events & Cultural Affairs Summer Program at a cost not to exceed \$45,000.00; (\$25,000.00) chargeable to and payable from the Special Parks Program Trust Fund; and (\$20,000.00) chargeable to and payable from City-Wide Events, Code Account 1837, Department of Parks and Recreation.

Also,

No. 944 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval for permission to purchase the installation of a security system for Vanucci Field, at a cost not to exceed \$900.00, payable from Code

Account 1808. (PRIOR APPROVAL GRANTED)

Also,

No. 945 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval for permission to purchase 10,000 additional summer magazines for distribution to city residents, at a cost not to exceed \$4,000.00, payable from Code Account Special Parks Program. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 946 Resolution transferring the sum of \$100,000.00 from Code Account 46, Judgments, to Code Account 1075, Miscellaneous Services, within the Department of Law. The transfer is necessary to provide funds to meet miscellaneous obligations.

Also,

No. 947 Resolution Repealing Res. No. 434, approved May 23, 1986, effective May 30, 1986 entitled: "Providing for a professional services contract or contracts or to use existing professional services contracts for the development, design, printing publication, delivery, implementation and/or distribution of public relations, marketing and recruitment materials, strategies or plans of action for the City of Pittsburgh's Job Training Partnership Act programs, at a cost not to exceed \$50,000.00, chargeable to and payable from JTPA-1 Trust Fund, federal funds," is hereby repealed.

Also,

No. 948 Resolution amending Res. No. 37, Items A and J, approved February 4, 1986, which authorized the sales in Wards of the City of Pittsburgh. Both properties are vacant land. Item A - amendment is to correct Lot No. from 99 to 97. Both the Proposal and the Resolution should read: Block 11-E, Lot 97; and Item J - amendment is to correct the Lot size from 83 to 83.41. Both the Proposal and the Resolution should read: Lot 30 X 83.41.

Also,

No. 949 Resolution Repealing Res. No. 14, Item K, approved January 31, 1984, which authorized the sale of property in the 27th Ward, being a vacant lot, located at 2320 Atmore Street, designated as Block 45-N, Lot 145, to Carol A. Burk, for the sum of \$250.00. The reason for the above Repealing Resolution is that the Title Search revealed that the City of Pittsburgh does not have a marketable Title to the property, as it was improperly taken. Property must be returned to the Assessment records to be properly acquired.

Also,

No. 950 Resolution Repealing Res. No. 1189, Item D, approved December 26, 1985 which authorized the sale of property in the 12th Ward, being a 2 Story, Brick & Frame house located at 505 McDonald Street, designated as Block 124-J, Lot 115, to Stephen R. Cafaro, in trust for Stephen R. Cafaro III, A. Burk, for the sum of \$1,500.00. The reason for the above Repealing Resolution is that the Bureau of Building Inspection found it necessary to raze the building.

Also,

No. 951 Communication from Mayor Caliguiri, requesting permission for David L. Donahoe to travel to Hartford, Connecticut to attend the National League of Cities Seminar on Financing Infrastructure and Economic Development from July 12-14, 1986, at a cost not to exceed \$398.00, payable from Code Account 1017. (PRIOR APPROVAL GRANTED)

Also,

No. 952 Communication from Mayor Caliguiri, requesting permission for George Whitmer to attend the 1986 Pennsylvania League of Cities Convention in Philadelphia, PA, from June 25-29, 1986, at a cost not to exceed \$750.00, payable from code Account 1017. (PRIOR APPROVAL GRANTED)

Also,

No. 953 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Walter Fortson and Edward Heal to attend a Management Information Systems Seminar in Harrisburg, PA, on June 19, 1986, at a cost not to exceed \$700.00, payable from the JTPA-1 Trust Fund. (PRIOR APPROVAL GRANTED)

Also,

No. 954 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Terry Woodcock to attend a meeting at the Pennsylvania Department of Labor and Industry in Harrisburg, PA, on June 5, 1986, at a cost not to exceed \$350.00, payable from the JTPA-1 Trust Fund. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 955 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in various wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County Block and Lot numbers mentioned therein, for the sum of \$1.00 plus all necessary and incidental expenses.

Also,

No. 956 Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the below-listed Redevelopers for the sale of the following properties in the City of Pittsburgh (SIDEYARDS).

Also,

No. 957 Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the below-listed Redevelopers for the sale of the following properties in the City of Pittsburgh (URBAN HOMESTEADING REHABS).

Also,

No. 958 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Colonel C. Heeter for the sale of Block 2-H Lot 130 for the sum of \$2,000.00, in the 3rd Ward of the City of Pittsburgh (RESALE FOR REHABILITATION)

Also,

No. 959 Resolution approving

execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Perry Paidoussis for the sale of Block 23-F Lot 291 for the sum of \$4,500.00, in the 25th Ward of the City of Pittsburgh (RESALE FOR REHABILITATION)

Also,

No. 960 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Reginald E. and Deborah Perry Clay for the sale of Parcel 80 for the sum of \$200.00, in the 13th Ward of the City of Pittsburgh in Redevelopment Area No. 19 (SIDEYARD).

Also,

No. 961 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Harold D. and Riva F. Gee for the sale of Parcel 55C for the sum of \$1,000.00, in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 31 (CONSTRUCTION OF SINGLE FAMILY HOUSE).

Also,

No. 962 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Maria T. Johnson for the sale of Parcel 57 for the sum of \$1,000.00, in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 31 (CONSTRUCTION OF SINGLE FAMILY HOUSE).

Also,

No. 963 Resolution approving

execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John A. and Elaine L. Pizzuto for the sale of Block 29-N Lots 141 and 148 (2920 & 2912 E. Carson Street) for the sum of \$50,000.00, in the 16th Ward of the City of Pittsburgh (CAR WASH FACILITY).

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 964 An Ordinance amending the Pittsburgh Code, Title Seven - Business Licensing, Article III, - Sales Businesses, Chapter 719 - Vendors and Peddlers, by providing for more explicit definition of vendor, by providing for clarification of loud noise and speaking device prohibition and use of streets.

Also,

No. 965 Resolution providing for an Agreement or Agreements effective January 1, 1986, with James K. Staud, VMD, for veterinarian services in connection with the treatment of dogs assigned to the Canine Unit of the Operations Branch of the Department of Public Safety/Bureau of Police, at a cost not to exceed \$3,000.00, chargeable to and payable from the Department of Public Safety, Bureau of Police Code Account (DPSTPP).

Also,

No. 966 Resolution authorizing the Director of the Department of Public Safety to extend the sick leave of Police Officer Thomas O'Donnel for a period of fifty (50) days in an amount not to exceed \$5,160.00. —(SPONSORED BY MR. WAGNER)

Which were severally read and referred to the Committee on Public Safety.

The Chair presented

No. 967 Petition from the residents of the City of Pittsburgh, requesting a public hearing to question the capacity of the Police Bureau within the Department of Public Safety. Also, requesting that the public hearing be televised. This petition is valid in accordance with Section 320 of the Home Rule Charter.

Which was read and referred to the Committee on Public Safety.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Pollock seconded the motion.

Which motion prevailed.

Also,

No. 968 Petition from the residents of the City of Pittsburgh, requesting a public hearing regarding unemployment in the East End. This petition is invalid in accordance with Section 320 of the Home Rule Charter.

Which was read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 969

Report of the Committee on Finance for June 4, 1986 transmitting sundry

resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 865

A Resolution entitled, "Resolution providing for the issuance of a warrant, without previous authority of law, in favor of P & B Wholesale Supply, Pat V. Alexander and Pat L. Alexander, Partners, in the amount of \$5,188.00 for the erroneous award and payment to the wrong vendor. Funds are available in Code Account S.T.F., Index Code 254458, Stores Trust Fund, Department of General Services."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 866

A Resolution entitled, "Resolution providing for the transfer of funds totalling \$600,000.00 as follows: the transfer of \$300,000.00 from Code Account 1144, Index Code 114405, Gasoline and Diesel Oil, to Code Account 1150, Index Code 115006, Outside Repairs Contracts; and the transfer of \$300,000.00 from Code Account 1144, Index Code 114405, Gasoline and Diesel Oil, to Code Account 1132-2, Index Code 113225, Telephone Services and Equipment, Department of General Services."

Which was read.

Mr. Wagner:

I'd like my comments brought forward on Bill No. 866 for the Record, please.

(BEGINNING - MR. WAGNER'S
REMARKS ON BILL NO. 866 -
WEDNESDAY, 6/4/86)

Mr. Wagner:

Mr. Jacoby, in this particular Resolution, we are transferring \$600,000.00 out of the fuel's code account into what codes accounts again?

Mr. Jacoby

Well, \$300,000.00 of it into outside repairs.

Mr. Wagner:

Outside repairs of what?

Mr. Jacoby

Largely outside repairs for 5 engines and transmissions and rearends in both refuse trucks and fire trucks.

Mr. Wagner:

Refuse and fire, and—

Mr. Jacoby

And \$300,000.00 into the telephone account.

Mr. Wagner:

Now, that is due primarily because of the savings in the reduction in the cost of fuel? In other words, we overestimated?

Mr. Jacoby

The funds are available because the price of oil went down dramatically at the beginning of the year. The funds are needed in the two accounts primarily because of the age of our refuse and fire fleet. We are experiencing a great number of breakdowns. As you know, we are expecting ten new pumpers in the fall of this year which should help a lot, and we are now anticipating purchasing a third of our refuse fleet again in January of next year which should also help. But for the balance of the year, we have an older fleet than we would like to have in both those areas.

Mr. Wagner:

What happens if the cost of fuel drastically increases the remainder of the year? Where are the funds coming from to take care of that?

Mr. Jacoby

We have had projections that it will not. But we also have the availability of funds, we think, in another account if that does happen. We would also—and we have talked to the Budget Office about this—ask them to help us find funds in other non-departmental

accounts if that should happen. But we believe that this transfer of \$600,000.00 still gives us a slight cushion even if the cost of fuel does go up.

Mr. Wagner:

Am I correct in saying there is a total amount in dollar of \$1.6 million for fuel for the entire year?

Mr. Jacoby

Yes.

Mr. Wagner:

So, by reducing this, we are down to \$1 million for the entire year?

Mr. Jacoby

Just about, yes.

Mr. Wagner:

For the entire year. And all that fuel is distributed at the one facility in Lawrenceville.

Mr. Jacoby

It is right now, yes.

Mr. Wagner:

Okay. A recommendation was made to the Public Safety Department to have four or five additional fueling locations for emergency vehicles so that they don't have to go out of their districts. Are we looking at some alternative ways with our fueling account to accommodate that?

Mr. Jacoby

Yes. Two members of my staff for some time now are surveying all of the local service stations in various parts

of the city to see which types of stations could meet our criteria for fueling vehicles. I've also been in discussions with the Law Department about what type of contract could be used with those individuals. I can tell you that we have several good options opening up with service stations willing to participate. We are having problems with the Law Department reconciling our bidding process and the fact that we cannot accept escalating prices to fit this. But Mr. Pellegrini has asked that we eventually be more prepared to come to Council with this and set up a meeting with key members of the Council and go over the problems we are having. I can tell you that it will in all likelihood require some special legislation on Council's part to implement it.

Mr. Wagner:

Well, that to some degree relates to this in that I think that by reducing the amount of dollars in that account, we could be jeopardizing any additional dollars we may need to accomplish providing fueling locations throughout the City rather than just in one location. So, my concern, quite frankly, is that we still have sufficient dollars in this account to do that this year because there is a great need to keep our emergency vehicles, particularly Police, Fire and EMS, within their respective districts rather than them leaving to have to go to one fueling location in Lawrenceville.

Mr. Jacoby

I agree with you. The member of my staff who is doing it is also the fellow who buys gasoline, so we are very careful not to jeopardize that. We agree with you on the concept and we want to see it go forward.

(END OF REMARKS)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 876

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Kristin Williams, in the amount of \$1,000.00 in payment for the completion of twenty-five exhibit label cards for the Pittsburgh Aviary to depict a painting of bird species, printed caption and a map of species range, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 880

A Resolution entitled, "Resolution providing for the issuance of a \$994.58 warrant in favor of Jose Chigier in settlement of claim for automobile

damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 882

A Resolution entitled, "Resolution authorizing the Mayor and the Director of Finance, on behalf of the City of Pittsburgh, County of Allegheny and School District of Pittsburgh to transfer its rights, title and interest, if any, for certain 3 Taxing Bodies' properties in the 21st Ward of the City of Pittsburgh to the Pennsylvania Department of Transportation. Deeds to be in Quit Claim form for a total consideration of \$16,180.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 885

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Brandi Custom Services, 3636-40 Frazier Street, Pittsburgh, PA 15213, in the amount of \$455.00, in payment for Repairs of Venetian Blinds and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 970

Report of the Committee on Public Works for June 4, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 860

A Resolution entitled, "Resolution granting unto Charles Golankiewicz, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a driveway on a portion of the Right of Way of Belleville Street in the 32nd Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 861

A Resolution entitled, "Resolution granting unto Patrick Mahoney, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, an off-street

parking and garden encroachment on a portion of the Right of Way of Westborn Street in the 27th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 862

A Resolution entitled, "Resolution authorizing and directing the Mayor and the Director of Public Works on behalf of the City of Pittsburgh to enter into an Agreement with the County of Allegheny for the reconstruction and maintenance of traffic signalization and street lighting on Browns Hill Road in the 15th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 863

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for an interim on-lot system to serve the Ciotti property."

Which was read.

Also,

Bill No. 864

A Resolution entitled, "Resolution vacating a portion of Henderson Street, beginning at a point at the intersection of Henderson Street and Federal Street point being on the Northerly side of Henderson Street, thence Northeast along Henderson Street, 75 feet to a point, thence Southeasterly, 17 feet to a point, thence Southwest a distance of 75 feet to a point on Federal Street, thence Northwest 17 feet to the place of the beginning, in the 25th Ward of the City

of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 971

Report of the Committee on Planning, Housing and Development for June 4, 1986 transmitting sundry ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 315

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No.

8, by changing from "S" Special and "R-1" One-Family Residence Districts to "M2" Limited Industrial District certain property of Anthony J. Castriota, bounded by: STETSON STREET; the easterly boundary line of the "M2" District located between WEST LIBERTY AVENUE and PIONEER AVENUE; the center line of CAPE MAY AVENUE projected in an easterly direction toward PIONEER AVENUE; and the center line of an UNNAMED WAY (situated between Woodward and Plainview Avenues) projected in a northerly direction, 19th Ward."

Which was read.

Mr. Pollock moved to recommit Bill No. 315.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also, with an affirmative recommendation,

Bill No. 884

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to expend a sum not to exceed Ten Thousand Dollars (\$10,000.00) from the Neighborhood Housing Fund for sidewalks and curbs on Browns Way in the 10th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 682

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 8 by changing: From "R2" Two-Family

Residence District to "RP" Planned Residential Unit Development District all that certain property located on the southeast corner of PAULINE AVENUE and CROSBY AVENUE, 19th Ward."

Which was read.

Also,

Bill No. 683

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A 33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for construction of a six-story building as a Housing Facility for the Elderly containing 52 dwelling units with parking for 12 automobiles on property located on the southeast corner of PAULINE AVENUE and CROSBY AVENUE, 19th Ward."

Which was read.

Also,

Bill No. 684

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 2 by changing: From "S" Special and "R3" Multiple-Family Residence Districts to "RP" Planned Residential Unit Development District certain property located on the westerly side of MEXICO STREET between RANKIN AVENUE and FAIRLEE STREET, 27th Ward."

Which was read.

Also,

Bill No. 685

A Resolution entitled, "Resolution approving a Conditional Use Exception

under Section 993.01(a)A 33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for authorization to construct a five-story building as a Facility for the Elderly containing 52 dwelling units with parking for 11 automobiles by the Ukrainian Catholic Diocese on property located along the westerly side of MEXICO STREET north of CHIDELL STREET, 27th Ward."

Which was read.

Also,

Bill No. 728

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(20) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, to Ellis School for authorization to enlarge the campus and construct a two-story and basement building; building at 6407 FIFTH AVENUE as school offices. The property is located on the northerly side of FIFTH AVENUE abutting MELLON PARK, 7th Ward."

Which was read.

Mr. Pollock:

On Bill No. 728 which is the Ellis School Condition Use, I want it known on the Record that my law partner's two daughters attend that school. I don't think it's such that it would affect my voting but I do want it on the Record.

The Chair:

I don't think it will either. Thank you.

Michelle Madoff:

Mr. President, on that bill I

previously stated that my daughter attended school there and that I thought I should abstain but I also think that since it's on the Record I can vote for it.

Mr. DePasquale:

For the Record, Mr. President, how does that constitute a conflict of interest because somebody's daughter went there?

The Chair:

It doesn't but they just wanted to make it for the Record.

Mr. DePasquale:

Every bill that comes in front of you, somebody knows somebody that's connected with the bill.

The Chair:

It doesn't matter. They just wanted to make it for the Record.

Also,

Bill No. 916

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for a "Summer Cleaning and Beautification Program" on public areas, sidewalks and related areas in various Housing Authority Communities, at a cost not to exceed \$50,000.00."

Which was read.

Also,

Bill No. 917

A Resolution entitled, "Resolution amending Resolution No. 801, effective

August 23, 1985, entitled: 'Providing for an Agreement or Agreements with the Hill House Community Services, Inc., for the implementation of the "Home Security Program", including Block Watch Organizers, and the installation of locks and smoke detectors in the City', so as to increase the program allocation by \$15,000.00 for additional program hardware and equipment."

Which was read.

Also,

Bill No. 918

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Clean Cities Committee, a non-profit corporation, for the purpose of employing economically disadvantaged youths to clean up and/or landscape City neighborhoods, at a cost not to exceed \$15,473.65."

Which was read.

Mr. Pollock:

In accordance with Section 322 of the Home Rule Charter, publication effective date of legislation, I move that the effective date on Bill Nos. 916, 917 and 918 shall be the date on which they are signed by the Mayor.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

Bill No. 919

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh

and the "Pittsburgh Employee Ownership Charitable Trust Fund" to be the City of Pittsburgh's share of a local match of funding to develop a business plan for an employee owned and operated meat packing plant."

Which was read.

Mr. Givens:

I'd like my remarks from Wednesday on Bill 919 to be brought forward for the Record.

(BEGINNING - MR. GIVENS' REMARKS
ON BILL NO. 919 - WEDNESDAY,
6/4/86)

Mr. Givens:

Discussion. Could I have someone come down here and explain this. Could you explain, Reggie what we are doing?

Mr. Young:

Several years ago, the Armour Meat Packing Plant closed down unfortunately. Some of the union employees from the meat packing plant had been working with the City and the URA. A feasibility study was done about a year ago and the URA and these representatives from the union have been working on that. They now want to put together a business plan. They expect that business plan to cost about \$50,000.00. They have requested \$15,000.00 from the City, and then they will be seeking from other private sources, the balance of the money.

Mr. Givens:

Okay. Did Council receive this study?

Mr. Young:

No. It's not all complete yet, but I'll certainly get that for you.

Mr. Givens:

That is my point. I'm for this and everything else, but I have not seen the study. We need to get a copy of this study between now and Monday, and I would suggest today so that we have an opportunity of reading it between now and Monday.

(END OF REMARKS)

Also,

Bill No. 920

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Miryam's, Inc., a non-profit organization and the Urban Redevelopment Authority of Pittsburgh, for the rehabilitation of a facility to be used to house the homeless, at a cost not to exceed \$15,000.00."

Which was read.

Also,

Bill No. 921

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979, as previously amended, so as to correct several Department Summaries in error on previous Resolution No. 201 of 1986."

Which was read.

Also,

Bill No. 922

A Resolution entitled, "Resolution

amending Section 10 of Resolution No. 167 effective March 7, 1983 as amended by Resolution Nos. 394 and 692 of 1983, by Resolution No. 940 of 1984, by Resolution No. 634 of 1985, and by Resolution Nos. 103 and 177 of 1986, so as to adjust several line items."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 972

Report of the Committee on General Services for June 4, 1986 transmitting two ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 868

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title One, "Administrative", Article VII, "Procedures", Chapter 161, "Contracts", Section 161.03, "Advertising Contracts Exceeding \$5,000.00", by changing the Councilmanic amount from \$5,000.00 to \$10,000.00."

Which was read.

Also,

Bill No. 869

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title One, 'Administrative', Article VII, 'Procedures', Chapter 161, 'Contracts', Section 161.13, 'Bonds on Small Contracts', by changing the Councilmanic amount from \$5,000.00 to \$10,000.00, and by changing the 'Department of Supplies' to read 'The Department of General Services.'"

Which was read.

Also,

Bill No. 870

A Resolution entitled, "Resolution providing for the letting, during the calendar year 1987, of Contracts and for the use of existing Contracts, for the maintenance, rental, rehabilitation, renovation, inspection, or servicing of personal property and for the maintenance and repair of buildings, structures, or any other properties in the custody of the various departments of the City of Pittsburgh, and for the miscellaneous services in and for any and all departments of the City of Pittsburgh, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 871

A Resolution entitled, "Resolution providing for the letting of Contracts and use of existing Contracts for the materials, general supplies, and equipment by the several departments of the City of Pittsburgh, during the calendar year 1987, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 872

A Resolution entitled, "Resolution amending Resolution No. 745 effective August 15, 1985, entitled: 'Providing for the letting of Contracts and use of existing Contracts for the materials, general supplies, and equipment by the several departments of the City of Pittsburgh, during the calendar year 1986, by raising the amount from \$5,000.00 to \$10,000.00 and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 873

A Resolution entitled, "Resolution amending Resolution No. 747 effective August 15, 1985, entitled: 'Providing for the advertising for proposals for equipment for use by the several departments of the City of Pittsburgh during calendar year 1986, by raising the amount from \$5,000.00 to \$10,000.00.'"

Which was read.

Michelle Madoff:

I believe we have bills being introduced by the Administration with reference to, correct me if I'm not in tune with it, I believe the purpose of the change from the \$5000 to \$10,000 is the minority representation, to have more minority involved. Is that correct? I believe that I introduced a couple of bills today that will not come up until — I did not waive Rule 8 so they will not come up until a week from Wednesday.

I find it very difficult to be voting on this particular bill, although I don't think it will hurt anything because I think this is going to improve the situation, it can't hurt the situation, but we had asked, Mr. Wagner and I had asked for some statistics which arrived so that we could analyze them and I think before we vote on the bill, I think it's important to point out that indeed, much of the contracts do go out of the City. Percentage wise it's a lot better than it used to be but it's still very low when it comes to minorities. I'm still waiting for two legal opinions from the minority groups who are asking for the public hearing expounding on their point of view that we don't need to have a referendum question, that indeed we can do that just be this Council amending the Code.

I think the statistics speak for themselves. I would hope that all members of Council would take the time to read the percentages of where minorities are benefitting and where they are not and where the contracts are going and where they are not and where women are being disenfranchised. It's pretty clear that we have a lot of people we do business with that live in Washington, D.C., Monroeville, McKeesport, Oakmont, Cincinnati, Rockville, Maryland, etc., etc. With a set-aside we could, and the whole concept is to allow for a small business

entrepreneur who cannot compete competitively on price, necessarily, to have a shot at getting some of the business.

I'm delighted there's going to be a hearing but it brings me to —

The Chair:

No, no, Michelle.

Michelle Madoff:

It's the same subject.

The Chair:

No, it is not the same subject. You are dealing with a piece of legislation and that's where we're going to stay.

Michelle Madoff:

I'll bring it up at the end of the meeting. Thank you.

The Chair:

Are you finished?

Michelle Madoff:

I think I've made my point that I don't think it will hurt anything but I do think that we need to address this —

Mr. Pollock:

On Bills 868 through 873, I think it would be very, very helpful if all of the Committee discussion was brought forward and included.

In addition to that, because it really wasn't discussed in Committee, I would like to add that I hope, first of all, I hope these bills are passed but in addition to that, I hope that when these bills are passed and signed to law, that

very, very stringent safeguards are provided by this City's General Services Department to ensure that in its desire to obtain more minority representation in City contracts, that they ensure that in fact they are minority representation in City contracts and not fronts.

Sophie brought this up, as did I, very, very briefly in the Committee discussion and in light of all that's happened in recent years, both locally and nationally, and in this morning's Post Gazette, the front page headline concerned fraud probed and minority firms which dealt with the Post Gazette uncovering evidence that some White-owned firms have subverted the program, referring to the set aside program, by using Black firms as fronts. This is not set aside legislation that we're voting on today but it is apropos because it is, in fact, legislation which deals with attempting to obtain Black contractors and women contractors. So, the same thing is appropriate that if we're trying to get Black and women contractors by these means, then we should, in fact, ensure that they are Black and women contractors.

So, I would hope that once these bills are passed that the General Services Department will provide regulations and policies in support of these bills that guarantee that what is hoped to be accomplished is, in fact, accomplished.

Mr. Wagner:

Mr. President and members of Council, in regard to the same bills, I would also like my comments brought forward for the Record in regard to the discussion last week at the Wednesday meeting.

As I indicated at that time, I would like to see the Administration take a greater effort towards not only

extending the contracts, as indicated in these bills, to the minorities and the women, but also to Pittsburgh based companies, whether they be White companies, Black, female, Asian, whatever. There is a greater need to solicit business from companies that are in our City. If they are not in the City limits, hopefully they are close by, at least within the county. But we certainly don't want to see contracts going to companies that are set up that may be outside this state or outside the City limits.

Therefore, I am only asking the Administration, as was asked last Wednesday at the meeting, to send out letters primarily for request to Pittsburgh based companies and to make sure that all Pittsburgh based companies, for whatever product we're soliciting, are part of that mailing list when we send out and ask for bids for particular products. And I think in doing that, we're also assuring that the firms are of higher quality because we can monitor what firms are in existence in this City much better than we can firms that may be located in Harrisburg or Cincinnati or wherever. I also think that there's a greater potential of the intention of this legislation being met.

Mr. DePasquale:

Mr. President, I couldn't quite hear all of what Mark Pollock was saying. Is he saying he wants a guarantee or proof that the minority contracts are actually going to minorities? Is this what you're saying? You want some kind of concrete proof that the minorities are going to get these contracts?

The Chair:

That they're minority owned. Right. That they're not fronts.

Mr. DePasquale:

I don't know how you're going to do that but it's a good idea.

Mr. Givens:

I would like my remarks on Bills 868 through 873 to be brought forward.

Michelle Madoff:

I'd like my comments brought forward from the business meeting.

Mr. O'Malley:

I would also like my comments brought forward.

(BEGINNING - REMARKS ON BILL NOS. 868 - 873 - WEDNESDAY, 6/4/86)

The Chair:

What these five bills do is let the City of Pittsburgh go out, without competitive bidding, and raise the ceiling price from \$5,000.00 to \$10,000.00 without going through the competitive bidding process. Mr. Grabowski is Chairman.

Mr. Grabowski:

I move for approval.

Mr. DePasquale:

I second the motion.

Michelle Madoff:

Discussion.

Mr. Givens:

Hold it. This is to do what?

The Chair:

It raises the ceiling of non-competitive items in contracts from \$5,000.00 to \$10,000.00.

Mr. Givens:

Is not that tied in to Bill 867?

The Chair:

No.

Michelle Madoff:

Indirectly.

Mr. Givens:

I'll address my question to the Chief Clerk. On Bill 868 through 873, do they have any relationship with 867.

The Chair:

No. Michelle Madoff, you have the floor.

Michelle Madoff:

Thank you for directing me at the appropriate time. The Community most affected, the minorities, who feel they have been disenfranchised would prefer not to have the issue placed on the ballot as a referendum but to have it litigated in the Court if necessary. If legal counsel for the City were to find that they believe to be illegal, because their attorney's, the groups most affected, feel that this Council has the right to amend the City Code, which is I believe Code 161.20, just to amend the bill and then we don't have to go to referendum to accomplish the same goal. They believe that if we do that and someone challenges it and it goes to Court and then it is found illegal, that they would be willing at that point to have it placed

on the ballot as a referendum, that we should not shirk our responsibilities and we ought to bite the bullet and vote to amend the code now.

The Chair:

Mr. Givens.

Michelle Madoff:

I didn't finish. No, I'm not through. I want Mr. Pellegrini to address that.

The Chair:

Danny, come to the table, please.

Michelle Madoff:

I want to have some dialogue with him over it.

The Chair:

Certainly.

Mr. Pellegrini:

Section 511 of the Home Rule Charter says, "All contracts shall be awarded--

Mr. Grabowski:

Mr. Chairman, point of order. We are not discussing Bill 867 which we just set a public hearing.

Michelle Madoff:

That's correct.

Mr. Grabowski:

We are discussing these other bills which have nothing to do with placing a referendum on the ballot.

The Chair:

No, but what they do is they raise the ceilings of any non-competitive bidding items. Restate your question, Michelle.

Michelle Madoff:

What I'm saying is instead of changing the figures from \$5,000.00 to \$10,000.00 and giving some tokenism and throwing a bone, the people involved in opposing the referendum on Bill 867, through all the bills to 873 are saying don't throw them a bone. They are saying amend the code to provide for minorities to accomplish the same thing that you are trying to accomplish through referendum to do it by amending the code.

Mr. Pellegrini:

Well, I would be happy to look at any legal arguments that advance that position. Unfortunately, Section 511 of the Home Rule Charter says that all contracts shall be awarded to the lowest responsible bidder except purchase at public sale or public utility commission contracts personal or professional services contracts with subdivisions and purchases of personal property whereby reason of patents or copyrights the required type of item is available from only one seller.

Michelle Madoff:

May I ask a question then.

Mr. Pellegrini:

Yes.

Michelle Madoff:

They had their attorneys look at the code. Their feeling is that it would

not be challenged in the Courts, and if it were and it was found to then be illegal, that they would then be willing to go to the referendum process. But they feel very strongly that they will lose it in a referendum.

Mr. Pellegrini:

That is an entirely different issue. The issue is whether or not you can do an illegal act in the hopes of—

Michelle Madoff:

But the don't think it's illegal.

Mr. Pellegrini:

Well, I'm willing to look at the legal justification if they have any case law. But the Charter seems rather clear to me. It says that all contracts shall be awarded to the lowest responsible bidder except those exceptions that I listed.

Michelle Madoff:

May I set up a meeting with the representatives of the group who feel that it is different with you and would you be willing to speak with them to explain and listen to their point of view. And then they can come back to this Council and if there is a discrepancy, Council has the right to hire its own counsel to take a look at another viewpoint.

Mr. Pellegrini:

First I would rather see their legal memorandum before I spoke with them.

Mr. Givens:

Point of order, Mr. Chairman. Could we send our Sergeant at Arms out and have him ask the people to just move away from the entrance of the door so

we can conduct our business here. It's been going on now for about an hour and it's very very disturbing.

The Chair:

Okay. Are there any further questions on the five bills? Mr. Pollock.

Mr. Pollock:

Could I ask George to come to the table.

The Chair:

George.

Mr. Pollock:

On Bills 868 and 873, I understand the purpose, so that we paraphrase it for the public as well as my colleagues and myself who don't really totally understand, the Councilmanic amount refers to an amount that is currently \$5,000.00, which means it doesn't have to go out to bid.

Mr. Jacoby:

That's not quite correct.

Mr. Pollock:

All right. Define that.

Mr. Jacoby:

All right. The contracts over \$5,000.00 currently, we are required to go to what is called a formal bidding process which means that the contracts are advertised in two newspapers of general circulation, all bids are open in public meetings with representatives of my office and the Controller's office.

Mr. Pollock:

Under \$5,000.00 you can send it to three people and you don't have to advertise it.

Mr. Jacoby:

Under \$5,000.00 we're to do, it's competitive but it's done by letter bid.

Mr. Pollock:

Okay, now.

Mr. DePasquale:

Excuse me. \$4,999.00, you don't have to have a bid, but \$5,000.00 or over you have to have a bid.

Mr. Pollock:

You just have to send it to three people. Now, the ultimate good that you want to accomplish by increasing from \$5,000.00 to \$10,000.00, the councilmanic amount, is that there will be more contracts available for this type that you could then, in theory, I suppose, send to only three minority firms to get only those companies to bid on it.

Mr. Jacoby:

We would be sending them to all minority firms on our list, yes.

Mr. Pollock:

All right. Just for the sake of discussion, let me ask you this. Have you been doing this with the \$5,000.00?

Mr. Jacoby:

We have been sending to our list of minorities, we have included all minorities on our list, and those spenders which have specifically stated that

commodity area. So, we make it a point to send out those bid notices to every minority on our list.

Mr. Pollock:

And what kind of success rate have you had with this procedure now?

Mr. Jacoby:

Well, without getting into specific commodity areas, we have been able to increase our minority participation in our strictly bid goods area from approximately 2 and a half percent to 6 percent.

Mr. Pollock:

As a result of this procedure?

Mr. Jacoby:

Yes.

Mr. Pollock:

All right. I think Councilman Wagner at the Mayor's Conference about a week ago asked you about the impact of this legislation going from 5 to 10, how many more contracts there would be, how many dollars there would be, were you able to get those figures yet?

Mr. Jacoby:

We submitted a letter this morning to Council, unfortunately it was not totaled. I did total it. The dollar volume of those contracts would be approximately \$225,000.00, and we believe that in 42 percent of those contracts we have very strong minority participation available to us.

Mr. Pollock:

Forty-two percent?

Mr. Jacoby:

Yes.

Mr. Pollock:

You're saying that that dollar figure represents how many contracts there are between the amount of five and ten thousand dollars.

Mr. Jacoby:

Currently, yes.

Mr. Pollock:

That's total. And are you able to state for the record then that if this legislation is approved and we go from five to ten thousand dollars that it will be your intent that with the exception of vendors who have requested to be on the bid list, that only minority firms will then be solicited for contracts in the five to ten thousand dollar range?

Mr. Jacoby:

Yes. I am prepared to say that we will be focusing primarily on minority firms in those areas where we have minority participation available. That does not mean that another person who wishes to come in and submit a bid is stopped from submitting the bid. He is certainly permitted to through a legal process. But we will focus primarily on moving those contracts to minority firms.

Mr. Pollock:

Okay. Now, if the bid is not advertised then--and I'm not real familiar with your office--but explain to me then how a non-minority person can have prior requesting of this, how would that individual know, just by calling up and asking?

Mr. Jacoby:

We have posted in our entry way to our purchasing section every item that it out to bid. It's on a system of charts, and those people who do business regularly with the City know of it and come in every two weeks and check what is out to bid.

Mr. Pollock:

Now, when you say out to bid, you are including then the Councilmanic amount, the under five thousand. That's included.

Mr. Jacoby:

Yes.

Mr. Pollock:

All right. So, then when you used the term focus--you used that a couple of times now--are you saying limited or--focus is kind of a discretionary word.

Mr. Jacoby:

What I am saying is that in those areas where we are not going with the Councilmanic amount, we will be certain that every minority vendor we know of gets a copy of that bid. Also, other vendors who have specifically requested that they be allowed to bid on those areas will also receive it.

Mr. Pollock:

Anybody else?

Mr. Jacoby:

Anybody else who walks in and picks one up.

Mr. Pollock:

But will you write to anybody else?

Mr. Jacoby:

No.

Mr. Pollock:

Okay, thank you.

Michelle Madoff:

Mr. Chairman, may I speak?

The Chair:

Are you finished, Mr. Pollock?

Mr. Pollock:

Yes.

The Chair:

Michelle Madoff.

Michelle Madoff:

Mr. Jacoby, just so that I understand this clearly, in 868, you are requesting that we go from (\$5,000.00) five-thousand dollars to (\$10,000.00) ten-thousand dollars on the bond? I want to be sure that I--

Mr. Jacoby:

No, that is the--

Michelle Madoff:

On 869.

Mr. Jacoby:

869, and I have a copy of the existing legislation--

Michelle Madoff:

Just summarize.

Mr. Jacoby:

What is requires is that small contracts right now under (\$5,000.00) five-thousand dollars, we have the ability to waive a bid bond in a performance bond. We are asking that that amount be raised to (\$10,000.00) ten-thousand dollars.

Michelle Madoff:

Okay. So, in other words, you are not increasing the amount of the bond, you're saying where we can waive five, you will now be able to waive ten?

Mr. Jacoby:

Yes.

Michelle Madoff:

I wanted clarification on that. Then, on the rest of the bills, you say for various Departments. You're not just saying five items—five products that somebody might buy, that they could buy (\$10,000.00) ten-thousand dollars worth of products. You're saying it could be—what could the total be? Give me a ball park.

Mr. Jacoby:

These next four items are annual legislation that Council passes each year authorizing us to go out and advertise all of our contracts.

Michelle Madoff:

But to the amount of—

Mr. Jacoby:

Anything and everything. From road salt—

Michelle Madoff:

But what are we talking about? How many people do we know that are minorities in road salt or how many minorities do we know that are selling automobiles. I mean, let's talk in the real world. How many dollars, conceivably would there be for minority and women, etc., contracts in dollars that we do now or could do, once we waive the bond of (\$10,000.00) ten-thousand dollars. Give me a ball park figure an educated guess.

Mr. Jacoby:

The number that I think will be included in the raising from five to ten will open up approximately \$100,000.00 of additional commodities per year to minority firms.

Michelle Madoff:

All right. So, you say we went from two and a half to six percent, and now you're saying we may go to ten percent, I'm just using a ball park figure, and so you're saying that the minorities and women would get an additional \$100,000.00 in business, conceivably?

Mr. Jacoby:

Yes.

Michelle Madoff:

And additional \$100 thousand above what they are presently getting which is what, about \$60,000.00.

Mr. Jacoby:

No. It's much higher than that.

Michelle Madoff:

I would like to know what we are talking about. I don't want to deal in—excuse the expression—a black box. I want to deal in the real world.

Mr. Jacoby:

My recollection is the number is approximately \$800 thousand.

Michelle Madoff:

So, right now it's \$800 thousand and you think you can raise is \$100 thousand which would be \$900 thousand, not quite at a million, is that correct?

Mr. Jacoby:

Yes.

Michelle Madoff:

What is the total annual budget of purchasing for the City?

Mr. Jacoby:

Total annual budget of purchasing—

Michelle Madoff:

What are the total dollars we use in purchases for the City a year?

Mr. Jacoby:

They come from various departments. We purchase approximately \$20 million.

Michelle Madoff:

Aah. Isn't it wonderful. It's

marvelous, folks. From \$20 million, the minorities and women get under \$1 million. That is marvelous.

Mr. Jacoby:

Yes, Michelle, and if you would pay attention to what Mr. Pellegrini is saying—

Michelle Madoff:

I paid very close attention.

Mr. Jacoby:

—and allow for set asides, then the scope would be much greater than the 6 or 7 or 8 percent we hope to achieve.

Michelle Madoff:

You say allow for set asides by going to the referendum, is what you're saying.

Mr. Jacoby:

That's correct.

Michelle Madoff:

And I'm saying allow for set asides without having to go to referendum. You weren't paying attention.

The Chair:

Michelle, let's stick to bill—

Michelle Madoff:

No, I was accused of not paying attention. I remember the first day—George, I'm fond of you, and I think you do a good job, but I remember the first day you got here and you said, "I'm sorry. I just took over the job. I didn't know we were only giving less than one-half of one percent to minorities. I'm

surprised to find out."

The Chair:

Michelle, Bill 868 and 869, please.

Michelle Madoff:

All right. So, don't tell me that I should pay attention—you pay attention. By Monday, the people most affected representing the groups are going to present to me legal opinions that this Council can do a set aside without having to go to referendum. They may be correct, they may not be correct. I am not a lawyer. I will consult with my lawyer and friend on Council, and I have arranged with Mr. Dan Pellegrini to see that he gets a copy of it, and if there is a dichotomy, I will then move that this Council hire it's own counsel to do that.

The Chair:

Michelle, Bill 868 and 869, please.

Michelle Madoff:

We are on it.

The Chair:

No, you're not.

Michelle Madoff:

I discussed it fully. My case rests.

The Chair:

Mr. Wagner.

Mr. Wagner:

Mr. Jacoby, at last weeks Mayor's Conference meeting when we discussed this, what I had requested in terms of information was not what I was provided

with. What I requested was what is the total dollar figure spent by the City for purchases under \$5,000.00 per year. And out of that, what percent goes to minorities. The second part of my question was by increasing the level from \$5 thousand to \$10 thousand, what would be the total amount of dollars spent by the City and what would the projections be as they would be related to minorities and women?

Mr. Jacoby:

I think I provided the second part of that information.

Mr. Wagner:

The increase then would be?

Mr. Jacoby:

The increase in contracts involved would be \$225,000.00. The increase available where we have minorities is approximately \$100 thousand. The amount that is under \$5,000.00 is not something I recall, and quite honestly I'm not sure, without going to the Controller's records, I would be able to bring that up to you. I will try my best but it's not something that is immediately available in our purchasing section. I can develop it, but it will take me several days, but it's not immediately available here.

Mr. Wagner:

My point is this. Out of the additional \$225,000.00 that would be spent between the \$5,000.00 level and the \$10,000.00 level, what you're saying is out of that \$225,000.00, a \$100,000.00 would go towards minority and women?

Mr. Jacoby:

\$100,000.00 of it would be in areas

where we have strong minority and women participation in our vendors, yes.

Mr. Wagner:

All right. Now, to get to the point of evaluating that, musn't we first determine that we are doing in the first \$5,000.00?

Mr. Jacoby:

Yes. I would say that at the current time--and I don't have specific numbers for you--that virtually all of our minority participation is in the areas of under \$5,000.00.

Mr. Wagner:

All right.

Mr. Jacoby:

We have very few large contracts with minority firms.

Mr. Wagner:

Large contracts.

Mr. Jacoby:

Large competitively bid, supplies and materials contracts with minority firms.

Mr. Wagner:

All right. We have very few. Most of ours are in the miscellaneous type purchases that the City constantly makes; that's what you're saying?

Mr. Jacoby:

Yes.

Mr. Wagner:

All right. Now, can't you punch into a computer and come up with that type of information?

Mr. Jacoby:

Unfortunately now, no we cannot.

Mr. Wagner:

Well, how must we obtain it?

Mr. Jacoby:

The only place that the information is in one area is in the Controller's records, and that's where we have to go down for each contract and find out the various departments have spent on it.

Mr. Wagner:

I don't know how we could come up with the figure between \$5,000.00 and \$10,000.00 if we first don't have the base to work with.

Mr. Jacoby:

This was done by hand by the purchasing staff. We have gone down now and found out on our B contracts and on our A's and R's how much is spent. But the small A's and R's, there are approximately 500 of those, and we would have to go down and virtually go through every paid invoice by hand to determine how much was paid under each contract. Right now, our computer systems are not designed to give us that information.

Mr. Wagner:

So, what you're saying is that it's not possible to have that from \$1.00 to \$5,000.00 prior to us voting on this Monday.

Mr. Jacoby:

I would say the answer is no, it's not possible.

Mr. Wagner:

Well, I still think it's something we should be shooting for. We should have an understanding of that. We should have an understanding of what percent of that area is devoted towards or has been spent towards women and minorities.

Mr. Jacoby:

We have two people on our staff who work primarily with those type of contracts. I will ask them for their best professional estimate and give you that. I'm not trying to hide the information from you, but that's unfortunately in the short time, the best I can do to provide you with the information.

Mr. Wagner:

And if we have to do that manually, I think we should be moving very quickly to putting that all on computer.

Mr. Jacoby:

We are moving toward a centralized purchasing system which would keep the information by contract by vendor and tell us any given day how much we have spent on any commodity. But right now, we have an entirely manual system.

Mr. Wagner:

All right. In regard to Bills 868 through 873, can your desire to achieve greater participation be accomplished without taking out of the hands of Council the ability to approve or disapprove contracts above \$5,000.00?

Mr. Jacoby:

I'm not sure I understand your question.

Mr. Wagner:

My question is, not only—what the Administration is saying quite frankly to Council—

Mr. Pellegrini:

They don't come to Council anyway.

Mr. Wagner:

That's right, under \$5,000.00.

Mr. Pellegrini:

Over \$5,000.00.

Mr. Wagner:

Up until what limit?

Mr. Jacoby:

Right now, when the annual legislation is passed, as long as there is money in a code account, the Administration has the authority to enter into a contract by competitive bid. Only on equipment purchases over \$5,000.00, does Council act on those.

Mr. Wagner:

Well, in essence, you're still taking away from Council its power then for those isolated instances.

Mr. Pellegrini:

There is nothing changed. What happens is that Council approve purchases by the budget process. There is a line item, and you say you can spend

\$10,000.00 on office supplies, and then there is a general ordinance authorizing the Director of General Services to go out for that contract. So, what you authorize is in the beginning of the year at the budget process. When you say, Department X can spend \$10,000.00 for office equipment. It's not a Councilmanic function to say whether or not you should go out for bids or contract. That is the Administration function. But you're setting the budget priorities in that budget document. And those have never come to Council ever.

Mr. Wagner:

But still we are taking, with the passing of this legislation, certain degree of legislative approval away from Council.

Mr. Pellegrini:

No.

Mr. Wagner:

In isolated instances we are.

Mr. Pellegrini:

No.

Mr. Wagner:

Mr. Jacoby just indicated we were.

Mr. Pellegrini:

No.

Michelle Madoff:

We never had it to begin with.

Mr. Pellegrini:

On goods and supplies you pass an annual resolution every year telling the

Director to go out for bids on office equipment and he goes out for those bids, and they are called requirement-contracts, and Departments through the course of the year purchase off of that requirement. Council has its control through the budget process. You have line items in the budget saying in Code Account 1001-1 you can purchase office equipment. And if you don't want anybody to purchase office equipment, you don't fund that line item. And so, that's how you do it.

Mr. Wagner:

So, in essence, what you are saying is that Council is not taking away any of its Councilmanic approval as given to us by with this legislation.

Mr. Pellegrini:

That's correct.

Mr. Wagner:

All right. Now, let me move on to another issue as it relates to these bills. In the area from \$1.00 to \$5,000.00 and from \$5,000.00 to \$10,000.00, what percent of these companies in dollars related, whether they be minority or not minority or female companies, are Pittsburgh based companies?

Mr. Jacoby:

In the small purchasing area, many of them are. Percentage is not something that I have readily available. Chet, do you know?

Mr. Malesky:

Because it's not efficient for somebody out of the state to ship the goods in or services that are obviously out of the state and a majority of the contracts under \$5,000.00 belong to the

participants.

Mr. Wagner:

Okay, you're saying the majority of the contracts belong to local. What I would like to see are some figures indicating quite clearly exactly what is in the city and what is out of the city.

Michelle Madoff:

In total, not only under \$5,000.00. Ninety percent is out of the City; I've got copies of it.

Mr. Wagner:

That's the type of information and let me clarify the reason for me requesting this. If what we're talking about here is providing additional contracts to minorities and women below the level, increasing the level from \$5,000.00 to \$10,000.00 and providing greater numbers to them, the possibility still exists if we are not addressing and favoring our own that minorities or women or not minorities or women of a company located in Maryland or California or Texas or even Zelenople are getting the business and not a minority business, a female business or another business within the City of Pittsburgh and that is as much concern to me in terms of keeping the dollars here and helping out anyone here, a minority, a woman company or whatever, as is the legislation in front of us. So do we have any data that can show this Council what the number of contracts are from \$1.00 to \$5,000 and from \$5,000 to \$10,000 specifically how we're going to help Pittsburgh-based companies whether they be minority or not minority.

Mr. Jacoby:

Councilman, within probably three

days I can show you on the large contracts the name and address of the vendor we have currently; I can show you the name and address of the vendor we have on the small contracts; I can show you the dollar amount that we anticipate on the large ones. On the small ones again I run into the same problem that the specific dollar amounts are not contained in my office and I would have to go down and dig them out. I can tell you that these are the contracts which are authorized up to \$5,000.00 and this is the name and address of the vendor. I cannot tell you precisely what was spent on that, but you can estimate that approximately \$5,000.00 will have been spent on that contract.

Mr. Wagner:

And we will know, we can find out who is Pittsburgh and who is not Pittsburgh?

Mr. Jacoby:

We can find out the address. The address that the vendor gives us, whether it's a Pittsburgh address or not, understand that in some of those instances you may have a Pittsburgh address from a company that has a branch here who's head office is located elsewhere.

Mr. Wagner:

Plus sometimes with an address you can't clearly define if it's Pittsburgh. The zone is Pittsburgh but it may be a suburb.

Mr. Jacoby:

That's correct.

Mr. Wagner:

Okay, my next question, I'm glad

our Solicitor is sitting here. Is it possible to amend this legislation, Bill No. 868 through 873 to indicate in some way that priority be given to Pittsburgh-based companies whether they be minority or not minority.

Mr. Pellegrini:

The Boston Case came down and said "yes" but the Camden Case which was decided—the Boston Case was on a Privileges and Immunities Clause" and the Camden Case was on a Interstate Commerce Clause and that didn't deal with goods and purchases but that dealt with employment. And the Camden Case said in some very narrow circumstances, which I don't believe are here, you cannot make it local because what you're doing, you're violating the Interstate Commerce Clause—and I may have it backwards by doing it that way but there's a case after Boston called Camden that came down and said that you essentially couldn't do that.

Mr. Wagner:

Are we absolutely certain of that legally?

Mr. Pellegrini:

I could do some more research on that, it's just my understanding of the Camden Case, because what happened is that everybody thought that when Boston (Case) came down that you could limit employment to residents of the municipality. Then about six months later my recollection was that it was under the Privileges and Immunities Clause of the Constitution. Six months later the Supreme Court came down in the Camden Case and said that if you did that, that would violate the Interstate Commerce Clause. So while everybody was gearing up to implement these programs, Camden came down and threw

out our ability to do that.

Mr. Wagner:

Could you have that opinion to us by Monday prior to final vote on this?

Mr. Pellegrini:

Monday? I'll try. We'll look at it and try to get it to you by Monday.

Mr. Wagner:

We need it. One additional question. If in fact cases have come or decisions have been made that indicates we are not permitted to do that, is it possible to amend this legislation to request that the Administration determine all companies that sell gloves within the City of Pittsburgh—all companies that sell air conditioners within the City of Pittsburgh, and when letters are sent out for submission of bids for contracts under \$10,000.00, they must be sent to Pittsburgh-based companies in addition to others that are on the list; must be sent to all Pittsburgh-based companies.

Mr. Pellegrini:

There's two answers. The one legally I'll have to look at. The other answer is the purpose of the legislation is to increase the minority participation in city contracts and when you do that you dilute the original purpose of the legislation.

Mr. Wagner:

I disagree with you and if the purpose of the legislation is to increase the amount of minority participation in contracts, but we have a minority firm here and we give the minority contract to a company in Washington County, that may be minority also. We are really not

truly serving the purpose that we want to serve, so consequently what I'm suggesting is this: Can this Council, by amending this legislation, require the Administration to send out letters to each and every company within the city limits that is registered as a company of the type which we are purchasing a product, when we want to purchase that type of product?

Mr. Pellegrini:

I think the answer is no because the Charter very specifically says that Council can't get involved with a contract, a method we can track. They can authorize contracts but they can't say--

Mr. Wagner:

All we're asking for is, is bids.

The Chair:

Jack--

Mr. Wagner:

All we want is bids.

Mr. Pellegrini:

If you want bids, what you would do then is say, "we want everything to be in the newspapers" so everybody can read it in the newspaper locally, but the purpose behind this type of legislation is very similar to the sheltered market approach or the set aside approach in the Charter referendum. What you're trying to do is set circumstances that minority businesses would be very successful in bidding on a contract; there are smaller bidders and so what you can do is increase their participation on city contracts. By thence opening it up to a larger universe, you're lessening the impact on the ability of the City to give

contracts to minorities. Now there may be more city-owned businesses doing that but there would be less minorities. If everybody had that type or provision in their contract, whether it's for minorities or just in general, you would probably have a lot of city businesses hurt because certain areas specialize in certain things. There are still a lot of contracts in this area and the City is specializing that and if there's four here and there's one in Cleveland and they had a provision that would favor local steel vendors in Cleveland, our people couldn't bid on that and consequently if Cleveland had more than one area, so I guess what I'm saying is that it evens out over the long run--

Michelle Madoff:

--you sound like Reagan.

Mr. Wagner:

Are we not most concerned with providing this legislation--the purpose of the legislation as was indicated to provide additional contracts to minorities and women.

Mr. Pellegrini:

That's right.

Mr. Wagner:

We are particularly concerned that those minorities and those women be based in the city. Are we or are we not?

Mr. Simms:

I think a part of the issue Councilman Wagner, is that we have been trying to do everything we can to broaden the base of participation and this obviously is an effort to try and frontload the system, to try and encourage minorities and women to get

involved in the process. In order to do that, we have simply not limited it to a concern for the geography however there's been an effort to do it. There are some other kinds of free market pressures that limit the geography by itself. As Chet (Malesky) brought a comment that it is just not efficient in certain cases for firms with a great distance to want to do this, put aside the contracts, but the basic philosophy behind this is to try and broaden the base of participation so that we can encourage more and more minorities and women to get into the system and thereby hopefully impact the amount of participation. So that's really been the front and effort.

Mr. Wagner:

And I appreciate that, but my concern is that I don't want a female-owned company from Texas getting the contract over a female company from Pittsburgh if in fact we have one.

Mr. Simms:

I would think that those concerns, particularly as George (Jacoby) indicated, to do some of this in terms of focusing the bidding. There would be some administrative efforts that could be taken to make sure that those concerns are taken into serious consideration.

Mr. Wagner:

My final question. Can we amend this legislation to require the Administration to send out to Pittsburgh based companies a request to submit a price for a bid on a particular product line even if we're only sending it out to the minorities and women along with this legislation?

Mr. Pellegrini:

No.

Mr. Wagner:

I disagree.

The Chair:

The Chair has a quick question, Danny, we're changing the ceiling on the bidding procedures here from \$5,000.00 to \$10,000.00. Under the Home Rule Charter, Section 511, you're saying that the City of Pittsburgh must go out on competitive bidding but here you're saying we're legally allowed to raise the ceiling from \$5,000.00 to \$10,000.00. Is there a limit on the ceiling that we can go to? Is it set by the state legislature or can this Council raise the ceiling from \$10,000.00 to \$20,000.00.

Mr. Pellegrini:

Yes.

The Chair:

So basically what you're saying is there is no ceiling on the limit that this Council can go out on bid?

Mr. Pellegrini:

That's right. You bid but what you do is you make an oral type of bid situation.

The Chair:

Are you required by law under this to go with the lowest responsible bidder?

Mr. Pellegrini:

Yes.

Michelle Madoff:

That was one of my questions. With all this wonderful dropping of the bid requirements, the bond requirements from 5 to 10, will you still have to go with the lowest responsible bidder and is it conceivable that the lowest responsible bidder could be a white male?

Mr. Jacoby:

Yes.

Michelle Madoff:

Is it conceivable that the lowest responsible bidder could be a white male out of the city?

Mr. Pellegrini:

Yes.

Michelle Madoff:

Is it true that there's a list existing, which I have a copy somewhere in my files, somewhere in my locker room, and it would take me probably weeks to dig it up but I will find it, that it is about this high (indicating) of every contract that was bid in the last year—I got it when your predecessor was here—my CIA supplied you with it.

Mr. Jacoby:

You have a list of every person who said that they would like to bid on the contract.

Michelle Madoff:

No, I have a list of the contracts.

Mr. Pellegrini:

No, I have a list of the contracts.

Mr. Pellegrini:

That's five years ago.

Michelle Madoff:

Nothing's changed very much. I have a list of the people that have done business with the City and I will tell you that 90 percent of it is out of the city and Mr. Wagner, I will point out that if it's a choice between giving a minority contract or no minority contract, I don't care if it's out of the city because somewhere along the line we have to be responsible to every citizen as equal opportunity. My next question then is, if a female came to you that owns a business and dealt—I sound like who?

Mr. Pellegrini:

Reagan. You sound like free trade. If we have embargo then they're going to raise the prices on everything Mr. Teflon.

The Chair:

I let Mr. Wagner get off the subject—Michelle, stick to the subject.

Michelle Madoff:

If a female contractor dealing in computers, copiers, etc., and I know of one who came to me and wanted to know how—

The Chair:

—Michelle, stick to the subject.

Michelle Madoff:

A female bidder on a contract—

The Chair:

That has nothing to do with these

five pieces of legislation.

Michelle Madoff:

--wants to bid on one of these products and I presume computers would fall under these--I am on the subject am I not Mr. Jacoby.

Mr. Jacoby:

Uh huh.

Michelle Madoff:

Would you assure the Chair of that?

Mr. Jacoby:

That's up to the Chair.

Michelle Madoff:

I refuse to grow male genitalia just to be heard.

The Chair:

Go ahead, Michelle, you have the floor.

Michelle Madoff:

I am tired of this. I am tired of females being discriminated against. Try it--it's difficult. Try to give us the same equal time. Now--if a female who deals in copiers--

The Chair:

Try it you might like it.

Michelle Madoff:

I doubt it very much.

Mr. DePasquale:

You made Danny blush. Michelle just became a gentile.

Michelle Madoff:

I'm going to try to stop laughing.

Mr. Jacoby:

Could you restate the question.

Michelle Madoff:

It's very difficult when you're laughing. If a woman minority woman contractor who deals in copiers has a good reputation and has done business in the City for a long time. As a matter of fact, it's a very unusual product that I understand would save the City a lot of money, were to come to this City to bid and does not have her company within the City, although she is going to move in the City, but does presently exist in the City, what are here chances of getting some of that business from the City?

Mr. Jacoby:

Under present law, she would be allowed like anyone else to competitively bid on a product.

Michelle Madoff:

Would she get a letter bid?

Mr. Jacoby:

If she was the lowest responsible bidder, she would get the contract. If she had requested to be allowed to bid in that commodity area, yes she would--

Michelle Madoff:

So, I'm to send her to you to make

sure that she is one of the people who gets letter bids.

Mr. Jacoby:

Certainly.

Michelle Madoff:

I will do so.

Mr. Pollock:

I have a couple of short questions. Once a person requests to be on the letter bid, is that individual on there forever, or do you update that all of the time? How does that work?

Mr. Jacoby:

We periodically go through out bidder's list. And for individuals who have not either bid or continued to request that they receive bids, we would remove them periodically. We don't have a set time, but it's generally every couple of years.

Mr. Pollock:

At the Mayor's conference I asked you this question and I just want to put it on the record so that we can all have it before us. The policy now you said is the below \$5,000.00 amount, that you do not require bonds. That's one of the bills before us. If it goes at \$10,000.00, you told me that you would watch it more closely because there is obviously a lot more at risk there. So, between the \$5,000.00 and \$10,000.00 figures, that you may in fact require bondings on your policy now below five—

Mr. Jacoby:

These are on service contracts only. On commodity contracts, our limit is \$25,000.00. On service contracts

below \$5,000.00, we do not require bids on them. On service contracts, if this is \$10,000.00, we would probably still not require bids on it, although that would be reviewed a lot more carefully because there are some sensitive items in that area.

Mr. Pollock:

Right. And my last question is—it's related to these bills, but while we are here, I feel it has to be asked. And the reason why I am asking now is because it's all related to the same type of good we want to accomplish.

Michelle Madoff:

You're a male and you are allowed.

Mr. Pollock:

Shut up. Bill 867 states that for minority and women, but the actual commodities or services that would be sent aside would be done by ordinance. If we were to put in this legislation to be put on the referendum, "women, minorities and Pittsburgh based firms" and it passes, we could then by ordinance set aside different commodities, some for women, minorities, some for Pittsburgh based firms. And in fact, by putting in that language in, we might have a greater possibility of it passing a referendum. Maybe Danny would be better to answer that.

Mr. Pellegrini:

That gets back to the other issue, whether or not you can limit to an area. And I'll have to do some research on that.

Mr. Pollock:

Well, New York has legislation that is sets aside, not for race, but for

neighborhoods which accomplishes the same purpose because obviously neighborhoods many times are related to race.

Mr. Pellegrini:

I'll have to find out how they do that. But the problem again is one of interfering with the market. States, as you are aware of, they put barriers around states which was struck down by the Supreme Court because that interfered with Interstate Commerce. There is a bunch of them. The most recent cases deal with water out in the Southwest and states tried to gain control of the water and the Supreme Court said no, even though the rain fell within their jurisdiction, it interferes with Interstate Commerce, and those were within the last several years, so I have to look at the cases, and it's very difficult.

The Chair:

Mark, are you finished?

Mr. Pollock:

Yes.

The Chair:

Sophie Masloff and Mr. Givens

Mr. Givens:

Mr. Simms, did I understand you to say that bids up to \$10,000.00 are not very often bid by people outside of the City because it doesn't pay them? Did you say that? Did somebody say that?

Mrs. Masloff:

If the bids are up to \$10,000.00, it's very possible that all of them are in Pittsburgh anyhow without putting that

in the legislation.

Michelle Madoff:

Get a copy of it and look for yourself.

Mrs. Masloff:

That's my understanding.

Mr. Pollock:

Don't forget, Sophie, there is not much difference between a firm in Forest Hills or Church Hill. They are going to still get those contracts too. What they are talking about is the Pittsburgh area versus Ohio or Texas.

Mr. Simms:

That's right. It's the area we are talking about.

Mr. Pollock:

We are talking about the City limits.

The Chair:

The tri-state area. Mr. Givens has the floor.

Mr. Givens:

I'm very concerned that the City has any type of a program that we aid our own citizens, and if that cannot be accomplished, then I feel that all of this legislation before us would be kind of mute. Yes, we want to have people participate, but if we can't get people within our City—and I think that's—there are a lot of people out there that I'm sure could go into small businesses very quickly and the SBA and Federal Government has all kind of programs. People have to get educated then to

what the requirements are to be able to be a successful small business person. So, we can't say this and not go one step further and tie it in with SBA and tie it in to our own City residents, and I just mention that to those administrators that are here today. So, to have a successful program for our people, the people of the City of Pittsburgh who pay our taxes, that we must work with very hard. George, you had sent down a letter that I have only received at 9:50 this morning, just prior to coming in here, in fact my staff put it in my folder and I missed it, but I thought there was an association and I asked the Chairman and the Chief Clerk who distributed this letter, that so indicated that all of these bills that we are talking about other than 867, from 868 through 873 are in fact tied in with 867. Could you explain that a little bit to us?

Mr. Jacoby:

Bill 867 is a separate piece of legislation. Where we may be talking about similar goals, the legal affect is different. Bill 867 is specifically, if passed, would direct the Bureau of Elections to place on the ballot a referendum—

Mr. Givens:

I got 867 in this handout here.

Mr. Jacoby:

Bill 867 was in the beginning of it.

Mr. Givens:

No. We include all the bills together.

Mr. Jacoby:

I understand. It's listed in there, but the impact is different. I'm sorry if

my letter is confusing to you.

Mr. Givens:

It was confusing to me.

Mr. Jacoby:

I take responsibility for that. Bill 867 is a separate legal issue.

Mr. Givens:

I agree, but doesn't 867 although it's separate, the impact of that legislation on the—you know, to raise from five to ten thousand, you know, you have to be concerned about that just a little bit. If I knew it was going to impact on our people within the City of Pittsburgh, then that has a greater impact to me, and they do to me have a very definite bearing in relationship. The going from five to ten thousand for minorities, as you letter so explained to the Council, I think, and I would almost want to put an amendment on the floor to ask that all of these bills be considered at the same time because the impact is all there, even though they are separate. There is still great impact in that particular area. For example, if we are going from five to ten thousand and it's not going to aid our own people in the City of Pittsburgh, then I have to have second thoughts of raising it from five to ten thousand. That's my only question. I don't know if that is a fair question that someone can answer that. Is my thinking not logical or what.

Mr. Simms:

I have one comment on that. When these issues came before Council, I think, probably better than a year ago, one of the concerns that Council had was that the Administration would take a look at every initiative that it could implement administratively to facilitate

a better access to the system by minorities and women and the instructions were clear that we should examine every contracting area and do everything that we can to sort of get to that end. The piece of legislation that you are talking about reflects efforts to do that by increasing the amounts and to doing all of those things that then all of our collective powers to do and separate from the Charter amendment issue. These are the kinds of things that we have within our ability to change and to modify to make it happen. The second part of it is that out of all of this discussion is a shared interest of the impact of this program and plan on citizens in the City of Pittsburgh. I mean, that is the priority effort here.

Mr. Givens:

What I'm seeing historically, Mr. Simms, is it's not going to the people of the City of Pittsburgh. And that concerns me.

Mr. Simms:

I think we always have to be careful that even our best efforts, that we don't so amend what is before us, that we end up even in good faith of diluting the legislation to the point that it becomes ineffective.

Mr. Givens:

Well, I think you are addressing the fact that I am going to put in an amendment here including veterans and handicapped--

Mr. Simms:

No, I'm not addressing that at all.

Mr. Givens:

I thought you might have been

doing that.

Mr. Simms:

I'm addressing the residency issue.

The Chair:

Are you finished Mr. Givens?

Mr. Givens:

Well, Mr. Simms then answered why I feel that all of the bills should be connected at that public hearing, and I think if we pass on them now and something happens at the public hearing or at the referendum later on down stream,—this bill has come before us before. All of the older Council people know that. It was introduced, it was held, it was tabled two or three times several years ago, and finally it was tabled completely by this Council because there was an amendment--

The Chair:

Not the five bills we are discussing, Mr. Givens. You're discussing Bill 867. Okay, Michelle Madoff, Mr. Grabowski, Mr. Wagner, and then I'm going to cut off the debate.

Mr. Givens:

To get to my point then, the two of them, from 68 to 73, it has a definite—it gives icing on the cake for this Council to pass and for the voters to accept the 867. If we separate the two, you know, I really don't know. And to separate the two and give the authority for anybody to go from five to ten thousand, and not include the people in the City of Pittsburgh, then I have reservations wanting to vote for these.

The Chair:

Mr. Givens, legally, the Solicitor says that we cannot do that.

Mr. Givens:

All I'm asking is for the Council then to hold these bills until the public hearing.

The Chair:

But they are separate issues. Okay. Mr. Pollock has a motion on the floor. Michelle Madoff.

Michelle Madoff:

Mr. Pellegrini, you told us earlier that the Boston ruling came down that they could indeed allow the jobs, not purchasing of items, but jobs to be allocated, a portion of jobs to Boston? We have been waiting for that ruling—

Mr. Pellegrini:

That was half of what I said.

Michelle Madoff:

On that issue, can Boston indeed—

Mr. Pellegrini:

And Camden tried to do the same thing and they were challenged—

Michelle Madoff:

Theirs was on interstate. Boston was not on interstate, it was on keeping jobs where monies came from Boston in Boston.

The Chair:

Danny, don't answer that. Michelle, we have to stay on these bills.

I'm going to hold all of my colleagues to these five bills period from this point on.

Michelle Madoff:

May I please, Mr. Jacoby, have all my colleagues supplied with one copy through Mike Perry, and we can all refer to them, of all the purchases made last year, all the sales made last year and the names of the companies and the billing addresses. I would like to verify what I have been telling you as being gospel. Will we get it?

Mr. Jacoby:

You can get the vendors list, yes.

Michelle Madoff:

The ones you do business with. Who you actually did sales with in the last two years. No, I'll settle for a year.

The Chair:

Mr. Grabowski.

Mr. Grabowski:

I think the one aspect that has been brought up here today, the fact that we should be trying to take care of our own, is a very valid one. And in viewing the section of the Charter that we are amending, at least one of the sections, 161.03, where it specifies the advertising of these contracts, it specifies the advertising should be done in the official newspapers of the City of Pittsburgh. Perhaps one way that we can get around advertising to the general public and everyone is to eliminate that section where it has to be advertised in the newspapers, and then let's just mail to the vendors in the City of Pittsburgh whenever there are particular goods and services that we are interested in purchases.

Mr. Pollock:

Regardless of the amount?

Mr. Grabowski:

Well, under ten thousand or—

Mr. Pollock:

Below ten is what we are doing.
Below ten, that eliminates—

Mr. Grabowski:

We are not eliminating that section of the code where it says it has to be advertised in the newspapers.

Mr. Pellegrini:

For below ten we are. If these bills passed, we do not have to advertise in the newspapers.

Mr. Grabowski:

Okay. So, that in a sense is what we are trying to do here. Is it the intent then of the Department of General Services only to advertise or mail, I should say, to the vendors within the City of Pittsburgh?

Mr. Schillo:

Our intention is to mail to those people who specifically requested to be on that commodity list and to all the minority vendors we have in that area.

Mr. Grabowski:

So, it would be a policy decision whether you mail inside the City or outside?

Mr. Jacoby:

Let me tell you some of the other

things. We are not entirely insensitive to this issue. As a matter of fact, I had a conversation this morning with Brother Richard Emenecker to begin advertising our contracts on our cable system which is only seen by residents of the City of Pittsburgh.

Mr. Grabowski:

Not, it's not. I know suburbanites that are picking—

Mr. Jacoby:

They are picking it up on a satellite dish, but its supposed to be distributed to the residents of the City. We wanted to bring that issue through cable so that the residents of the City do get an extra chance to see what is being bid on, and that's one area we are trying to impact on the residents of the City of Pittsburgh, but it still becomes a policy decision as you say, yes.

Mr. Pollock:

If this passes and we go from five to ten for the mailing purposes and we are only going to mail to women and minorities, can we also limit, as Steve might have suggested, to only to mail to women and minorities in the City of Pittsburgh?

Mr. Jacoby:

Legally, yes we can. I think it becomes a policy decision.

Mr. Pollock:

Well, let's make that the policy. I mean that is to your Department, but I think that's a good policy because then that accomplishes everything.

The Chair:

I think that's what they are saying. Mark, I think that's going to be the policy.

Mr. Pollock:

Well, no one said it. I think legally you can say it, can't you?

Mr. Pellegrini:

Sometimes it's better not to say anything.

The Chair:

Mr. Wagner.

Mr. Wagner:

Mr. Chairman, getting back to the earlier discussion, I would appreciate if the information if at all possible could be provided between now and Monday. And that information is the total dollar figure spend under \$5,000.00 on an annual basis. You have provided the projections from five to ten thousand. I would like to know what it is from one to five thousand on an annual basis, out of that, what percent goes to minorities and if possible what percent are Pittsburgh based companies, both minorities and non-minorities. The other item that I am requesting is a legal opinion based on the Pittsburgh based companies, minorities or non-minorities and I agree with Mr. Simms that I think that due to the fact that there are more minorities in the City, overall the wash is that you should have more contracts going to those based in the City than not in the City. The probability is greater that that would happen. However, if there is the possibility of this Council legislating or a policy to be adopted by the Administration where we at the very least notify Pittsburgh based companies

and make sure that we notify all Pittsburgh based companies and put our concentrated effort towards doing that, I think that's the right way to go here.

Mr. Pellegrini:

I think we could do that through administrative procedures on even the contracts over ten thousand and probably we do that and we still do the newspaper adds. So, in fact, we almost have a program like that with what we are doing now.

Mr. Wagner:

No we don't have a program like that.

Mr. Pellegrini:

See, what happens is that you have a bidders list and those people that come in and ask to be the bidders list are generally, if not City of Pittsburgh companies, the companies from the SMSA.

Mr. Wagner:

That bidders list by which companies get on the list does not assure us that they are Pittsburgh based companies. The point I'm trying to make is this; we go to a Pittsburgh Business Directory and if we want to buy speakers or we want to buy work gloves or boots, that we send out a letter requesting a proposal or a bid from Pittsburgh based companies to all Pittsburgh based companies, and particularly minority in business. Not only do we give them the business, but we promote the location of those type of businesses within our City limits by doing so. And I think there is a way, and I would like a legal opinion as to whether or not we can legislate that. And if we can legislate it, I would be more than happy to propose a piece of

legislation of that type.

Mr. Pellegrini:

What we can look at Administratively, for instance, for amounts over ten thousand is that we specifically send the adds to Pittsburgh based companies. They would still be required to bid against the rest of the people of the bidding, but it would make a special effort aimed at them. We could probably do that administratively rather than—I think we would be happy to do that—

The Chair:

It's a policy decision this Council is asking for, Danny. Just say yes.

Mr. Pellegrini:

Yes. Yes.

Mr. Wagner:

Can you give us that in writing?

Mr. Pellegrini:

My great difficulty is that it's not my Department that I am committing.

Mr. Wagner:

Well, can we have that in writing?

The Chair:

Now, I said we are going to cut off debate. All in favor of Bill 868—

Mr. Wagner:

Can we have that in writing? Can we have something like that?

Mr. Pellegrini:

He'll get that. That will take care of the opinion, too.

Mrs. Masloff:

Can I say one more thing?

The Chair:

Sophie, since you are so quiet all the time, you can say one more thing.

Mrs. Masloff

I just want to say one more thing. There is another point here that is very important and I just talked to Mark about it and he pointed something out to me that these quotas may cost us millions because it's—the Federal Highway Administration for instance estimates that its set aside program adding \$180 million to its contracting cost in '84. I mean, it's a thing we are doing, but it's going to cost the taxpayer's money.

The Chair:

This is not a set aside program. This is a separate from a set aside program.

Mrs. Masloff:

Well, all right, but I wanted to point that out that it is going to cost us more money.

The Chair:

All right. All in favor of Bill 868, 869, 871, 872, and 873, indicate by saying Aye.

WHICH MOTION PREVAILED.

(END OF REMARKS)

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff:

May I ask that the Chief Clerk send a letter to the Director of Water, since I don't get responses, and ask him whether we could please have, and is there an annual report on the Water Department. Before I will introduce any more Water bills I would like to know whether there is a report and when I can have it.

Michelle Madoff presented

Bill No. 973

Report of the Committee on Water for June 4, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 875

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contracts, for the purchase of water meters and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 974

Report of the Committee on Public Safety for June 4, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 848

A Resolution entitled, "Resolution amending Resolution No. 744 and No. 952 and approved respectively August 15, 1979 and September 24, 1982, No. 744 entitled: 'Resolution creating a Special Trust Fund for the receipt and disbursement of funds for training and related expenses for Police Recruits, and providing for the deposit of funds in a bank account;' Amended by No. 952 to include disbursement for In-Service Training Trust Fund: By alerting the designation of the Trust Fund created and amending and authorizing additional payments into and out of such trust fund and by renaming The Trust Account the 'Public Safety Training Account'."

Which was read.

Mr. DePasquale:

I was at the dedication of that playground. Does that disqualify me from voting?

Michelle Madoff:

Mr. President, on Bill 848, we're talking about monies being set aside in trust for Police recruits for, I presume, in-house advance training. Is that correct, Mr. Wagner?

Mr. Pollock:

It's Jeep's committee, Michelle?

Michelle Madoff:

Public Safety?

Mr. Pollock:

It's Engineering and Construction.

Michelle Madoff:

I'm sorry. I'll come back to the issue later.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 975

Report of the Committee on Engineering and Construction for June 4, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 859

A Resolution entitled, "Resolution providing for a Contract or Contracts, or for the use of existing Contracts, for the purchase and installation of fire hoses and fire extinguishers, etc. for City-

owned buildings at a cost not to exceed Thirty Thousand (\$30,000.00) Dollars; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 904

A Resolution entitled, "Resolution amending Resolution No. 149, effective March 3, 1986, entitled: 'Providing for a Contract or Contracts, or use of existing Contracts, for the Renovation of the Martin Luther King School Playground; providing for a reimbursement Agreement or Agreements with the Board of Public Education of the District of Pittsburgh; and providing for the payment of the costs thereof,' by increasing the total project allocation by \$23,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 976 Resolution that the appointment by the Mayor of Linda A. Cobb of 727 North Mathilda Street be and the same is hereby approved as a member of City Court.

Which was read.

The Chair:

I would like to know if we can get a motion to bring Miss Cobb in this Wednesday for an interview.

Mr. DePasquale:

So moved.

Mr. Wagner seconded the motion.

Which motion prevailed.

Michelle Madoff:

For what position are we looking at?

The Chair:

Magistrate's court.

Mr. DePasquale presents

No. 977 WHEREAS, the Opportunities Industrialization Centers have provided education, training and work experiences for thousands of persons in the United States and several Foreign Nations; and

WHEREAS, the Reverend Leon Sullivan founded Opportunities Industrialization Center in the city of Philadelphia, Pennsylvania, and has continued to provide dedicated leadership and inspiration over the years;

and

WHEREAS, the Pittsburgh Opportunities Industrialization Center has provided residents of our city with an opportunity to become productive members of the community; and

WHEREAS, Pittsburgh OIC Week will be held in our city June 15 through June 21, 1986.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does recognize and honor the Opportunities Industrialization Centers of America and welcomes Dr. Leon H. Sullivan to the City of Pittsburgh.

Mr. DePasquale moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. DePasquale:

Mr. Chairman, if I may, obviously this is a great honor for the City of Pittsburgh, Mr. Sullivan coming here, and this is a very great organization.

Mr. Pollock presents

No. 980 WHEREAS, the method of election of Pittsburgh's City Council is a matter of grave concern to the residents of the City of Pittsburgh; and,

WHEREAS, there are diverse opinions as to the most appropriate and most desirable method of election of Council members; and,

WHEREAS, recent court decisions have left the members of Council and others seeking to address the issue with no legal method to amend the existing

City Charter to change the method of election of Council members; and,

WHEREAS, Pennsylvania House Bill 1731 would enable this City Council and others to place proposed amendments to the City Charter concerning the election of Council members before the voters; and

WHEREAS, Pennsylvania House Bill 1731 opens up the process to those seeking to have Council members elected entirely by district and to those seeking alternative plans; and

WHEREAS, Pennsylvania House Bill 1731 passed the Pennsylvania House of Representatives in December and is now before the Pennsylvania Senate and the Senate Local Government Committee; and,

WHEREAS, the citizens of the City of Pittsburgh should have the right to express their views on proposed amendments to the City Charter and on the desirability of any such proposed amendments.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Pittsburgh hereby endorses Pennsylvania House Bill 1731 with the only amendment being that the voters shall be given the option of approving the present system which said option is not provided in House Bill 1731 as proposed.

BE IT FURTHER RESOLVED, that the City Council of the City of Pittsburgh respectfully requests that this Bill be promptly passed by the Pennsylvania Senate, as amended, and thereafter signed into law by the Governor.

Mr. Pollock moved to adopt the resolution.

Michelle Madoff seconded the motion.

Mr. Pollock:

Discussion.

Michelle Madoff:

Discussion.

The Chair:

Wait a minute.

Michelle Madoff:

Mark, do you want to go first?

The Chair:

I'll decide who goes first and who goes last.

Michelle Madoff:

I raised my hand first. I wanted to be courteous.

The Chair:

Mr. Pollock, Mr. DePasquale, Mr. Givens, and then Ms. Madoff.

Mr. Pollock:

Putting the resolution in lay language, all I'm basically saying is that there is a bill before the State Legislature, House Bill 1731 which merely permits the residents of the City of Pittsburgh by petition and/or the City Council of the City of Pittsburgh by resolution to place before the voters of the City of Pittsburgh the option of changing the way City Council is elected to either an all district or a combination.

Now, in my resolution, I added that I would ask that the State Senate amend this legislation so as to include the

option of leaving it as it is as an at large, so that all voters have the option of any one of the three combinations.

All I'm asking is that this bill be put before the State Senate for a vote and then the Governor sign it into law and then the voters will have the right to petition and/or we as a Council can have the right to place on the ballot the different choices.

What's significant about this bill is very, very brilliantly drafted by Legislator Tom Murphy, this bill provides for the problem that was before when this type of legislation was on the ballot where there were several options. I think the common term was the three-headed monster, where you could have three yeses that were all mutually exclusive. This bill provides that in the event that Council and/or the residents of the City of Pittsburgh put on the ballot by referendum several options which are mutually exclusive, or mutually inclusive, in fact, that whichever referendum question gets the most yeses. So, expounding on what I said there, if, in fact, there is a question which says, "Shall Council be elected all by district? Yes or no." "Shall Council be elected all at large? Yes or No." "Shall Council be elected by combination? Yes or no?"

If, in fact, all three came through with a yes vote, the one that would be deemed the winner would be the one with the most yes votes. So it can be covered.

The Chair:

That's right.

Mr. DePasquale:

Mr. Chairman, I have a dilemma. I am not for the bill yet I am for the

amendment and I want it for the amendment to the bill it doesn't constitute me being for the bill itself, because apparently, the bill is going to pass. So, if it passes, it should have the amendment that Mark suggested. But the bill itself I am opposed to.

Mr. Givens:

It's very interesting when you look back in history —

Michelle Madoff:

You're not recognizing me?

The Chair:

Ms. Madoff, I already gave the order the hands were raised and that's what I'm doing.

Michelle Madoff:

I was third but that's alright.

The Chair:

No you weren't.

Michelle Madoff:

It's quite alright.

The Chair:

And don't interrupt again.

Michelle Madoff:

Look at the record; you'll see that.

Mr. Givens:

When you go back in history a little bit, you wonder what is happening on this bill and how it's being rushed through the House. Let me, if I might for a second or two, back on your desk right there,

your office says 1816 - 1916, the City of Pittsburgh. That's about the time that the City of Pittsburgh incorporated, really 1911, under our present form of government. Now, we went to the State which is the Commonwealth State, not too many in the nation, that really, they govern what happens with local municipalities. And the local municipality said something, that we want a greater say in how our government functions at the local level. So, an Act was created and the Home Rule Charter was created of which gave the Legislators of the State the power to those municipalities that wanted it to govern themselves in a much greater fashion than what they had done before.

Now we have this bill 1731 that they're pushing through the Senate right now and through the House very quickly, and it was a State Rep who put it in from the Northside and I disagree with it for this reason and I still disagree with it today for this reason: In our Home Rule Charter we have a section that when we want to change our form of government, we do it in a very democratic process. And that process is to form a commission and with that commission how we got the Home Rule Charter was to form that commission, in that commission, people of the City of Pittsburgh, of all walks of life. It's just not changing the City Council right here. What effect does that have totally for minority participation, for how we govern the City of Pittsburgh, how we make decisions in this Council affecting all the citizens versus affecting those in just our own little particular district if we go by that district, or even a district in an at large combination.

So, we have a format here like this Council has a format, and that is to debate the particular issue. We are cutting up, I think, a great process of democracy and that is called debating

the particular issue. They do it in the Senate of the U.S. Congress every day of our lives; they do it in the lower House of Representatives. They do it even in our State House both over at the Senate and the House of Representative level. Yet here we are, and one has to remind ourselves that only four years or so ago, I believe, I'm not accurate on the date, this same type of referendum went before the people not understood. Why? Because it was debated by two Councilpeople on talk shows and a few newspaper articles, etc. It was never put before the people of the City of Pittsburgh, minorities, all the people from the City of Pittsburgh, to come up and say why they want this form of government.

I think, and I send these words of wisdom, and I want this transaction and this transcript to go with the recommendation on this bill because I'm sure it is going to pass this Council and it is going to go to the Senate. But the Senate has to realize because I didn't have an opportunity to even speak before the House and maybe some of us should go up there and tell them what they're doing, what they're really doing for our government. They're short-changing the people of the City of Pittsburgh. They're not giving the people of the City of Pittsburgh the opportunity to debate an affordable-type setting where people can tell what they want and say what the effects that this is going to have on government. Good or bad. Four years ago, as I indicated, it was defeated. And I think each and every one of us have a personal interest in this Council as to how anything is going to go in this Council. I think Council ought to resolve itself, remove itself, from anything that's going on at the State House or any other level as to the form of government because who are we fooling? It affects each and every one of us. We should not even be in the pot of stew saying yes, do

it or no, don't do it, until the final vote comes up before this body and we have to say yes, put this on because this Council must say yes, put it on, along with everybody else, I guess, within the system.

So, as a result, what I'm trying to say, it's a nice piece of resolution; it's not going to hurt anybody. But are we doing any justice to the people of the City of Pittsburgh? There's nothing to say, that if they want Council by district, even by next year when this Council, five members of this Council, must run again, that they cannot accelerate the process of having a Home Rule Study Commission study the issue with the intent that it would be on the ballot for the people to consider. And I think by doing this right here, we are not giving our people the opportunity of coming down and speaking how they feel on this particular issue.

We had one very small debate in the Council that lasted maybe an hour or two that I can remember. It was whisked through very quickly on how even we felt when the issue came up some four years ago. Are we going to do this again? And, here's the bottom line, if this thing is defeated, again, or if it's defeated, how much longer then do the minorities have to wait before they get what they feel is their piece of the pie? Are they rushing too fast into this issue when in the end result they're going to lose again possibly? Or can it be debated where the newspapers, magazines, television, everyone gets in there and it is a clear cut picture of how each segment of our society feels on this particular issue?

We are denying our people that and for that reason I cannot vote on this particular bill or the transaction that is going on in the State House. Give it to the people in the City of Pittsburgh. Let us control our own destiny. We asked the

State House to get out of our business; now one of our own Legislators went back up there and they're getting into our business again. And I feel that's wrong. We have a Home Rule Charter; let's use that Home Rule Charter. That's is one heck of a vehicle and if we use it properly I think all the people of the City of Pittsburgh will be served at a greater reaction than if we do this real quick. Let's get this through the Senate; let's get it through the House. Let's get it on the ballot and what's going to happen to it once it gets on the ballot.

Michelle Madoff:

I would respectfully disagree with my colleague. I believe that when the three-pronged monster was put on the ballot, worded in such a way that by law, by State law, and I believe by Home Rule Charter, people had to vote yes or no. Do you want to have election by district? Yes or no. Do you want to have election at large? Yes or no. Or do you want a combination? Yes or no. Nothing could win.

This bill, my understanding, would allow either a referendum or this Council to decide whether we have one of the three but not yes or no on all of them. In other words, it becomes a multiple choice. You can vote either for election by district, election at large, or a combination. You can vote only for one, not for all three. If this bill comes out, my understanding is that that is what the bill will permit.

Now, I would like to question my colleague, my Wagner, if I have your permission, to see if I'm correct on that and then continue from there.

The Chair:

I can tell you you're not correct on it. I know the piece of legislation. Mark

and I talked about it last week; that's why it's like that. The only thing that legislation says, you can vote for two things: all by district or a combination of. I've read it through and through so I know. You don't have to question anybody.

Michelle Madoff:

Excuse me. Would you repeat that story?

The Chair:

All the legislation says is that you have one of two choices: all by district or a combination of.

Michelle Madoff:

So in other words, the bill would eliminate the present system. It would be a multiple choice in the sense it would give us the choice of do you want to drop the system, essentially, that we have.

The Chair:

No, it doesn't say that.

Michelle Madoff:

Alright but what you're going to have a choice of then is, do you want to have by district or a combination. Period. Is that correct?

The Chair:

Right. If this legislation passes in its present form, there is only two choices, the Legislators and the State Senate are automatically wiping at large out. Understand that.

Michelle Madoff:

I do want to understand that. My understanding is that with the suggestion

made by Mr. Pollock that he include in his resolution or in the letter that we're going to send urging the State to bring this our of Committee, Mr. Pecora's committee, that he also include the option to allow it to exist as it is. So that if Mr. Pollock's suggestion is taken seriously by Mr. Pecora and by Mr. Murphy and the Legislators, they amend the existing bill and include election at large and add it on to by district or combination. That's what I understood Mr. Pollock to be doing. Did I understand you correctly, Mr. Pollock?

Mr. Pollock:

Yes.

Michelle Madoff:

Thank you.

Now, to continue. It would then become a multiple choice and if at the worst scenario the public has a choice between combination or by district, does it also give us — may I ask the permission of the President to ask Mr. Pollock or could you answer the question — does it also give this Council the opportunity to vote on whether we wish to have election by — which we have now — So everybody understands, at this moment, we have the right to change at large to by district, we don't have to go on referendum. That is a fact.

The Chair:

That is not true.

Michelle Madoff:

That was my understanding, that we did have that authority.

The Chair:

No, we do not have that right. We

have the right to put the question on the ballot.

Michelle Madoff:

Judge Zappala said we did not have that right. Is that correct? I just wanted to make sure the history is clarified. So this Council does not have that ability.

Does this bill if it passes, Mr. Pecora's bill, give this Council the right to vote on whatever comes out of his Committee, be it the amendment that Mr. Pollock has added or just to run by district or by combination? Is Council going to have that right without having to go to the public?

The Chair:

It's my understanding this Council has the right to put the question on the ballot.

Michelle Madoff:

But we cannot vote on it ourselves.

The Chair:

No.

Michelle Madoff:

Alright. My position is very clear. All of us have been interviewed by the attorneys hired, I believe, from Philadelphia, I don't know what the term is, I guess we've been deposed, as to what our status, what our involvement, who has pressured us, where our contributions have come from, as to what, if any, interaction we've had that would in any way show discrimination for or against minorities. For myself I speak only, I have what I consider a 1000 percent record in favor of minorities. In reference to something that was

mentioned earlier, that this bill was not debated, it seems to me that the three-pronged monster in the referendum was debated on infinitum and on infinauseum. The public did know what the issue was but they didn't have the chance to vote because they could only vote for and against each segment, not a multiple choice.

What will happen if this bill goes on referendum with a choice of one of three or one of two is, indeed, for the first time, the public will indeed have a chance to vote. May I remind my colleagues the bill was proposed by our former Councilmember, Mr. Flaherty, now Controller, and seconded by Michelle Madoff. He could not have discussed it had there not been a second. I had the bill before he got to Council; I could never get a second.

I don't particularly want to have election by district simply because I have watched some things happen over the eight years I've been here where in certain communities people have gotten up and said, "My name is Mr. Joe Blow, I have 8 kids, 14 grandchildren, I'm pro life and I think you should vote for me because I'd be good." No positions, no issues, nothing. And that person led in one of the largest wards and that scares me.

I would like to see, personally, a combination. But I would like to see first and foremost, before what I would like to see, that is my personal preference which would mean that I would have to move, if I lost my personal preference, I think first and foremost the people have a right to be heard. And the people have not been heard. And if it means that I have to move and indeed we vote by district, so be it.

I am willing to take a position right here and now if this is going to become

another three-pronged monster, and urge this Council to vote for by district, although I would prefer a combination. I say that because I don't want the public cheated a second time and I don't want a judge saying that if Council wants to be idiots or I think he used a term something like that, that we have the prerogative to continue along that vein. I think we have to bite the bullet, urge this bill to come out of Committee in the best form we can get it, and let the people vote the way they want to have their government, no matter how it affects any one of us.

And there would be enough time, Mr. President, and I think you will support me on this, for every segment to lobby their particular preference. Mine would be by combination, somebody else might want to have it by district, someone else may want to continue it, and I know some members here want to have it at large. I think you've expressed the opinion that you don't want elitist Councilmembers.

But whatever we do, we should be voting for this bill to get it moving or have the courage right now to vote for election by district.

The Chair:

Well, Michelle, if this legislation passes, whatever form, it's going to be binding. The three-headed monster that was on the ballot five years ago was not binding. So this will be binding.

Michelle Madoff:

Thank you for clarifying that, Mr. President.

Mr. O'Malley:

I oppose the resolution because I feel if you vote for this resolution, even

though its well intended, it would give the appearance that you're in favor of Bill 1731 and I oppose Bill 1731. I believe the drafting of the bill was well intended but, unfortunately, it was poorly drafted and I think it leaves the door open for more confusion than we had in 1981, as my colleague stated, with the three-headed monster for a number of reasons. If this resolution passed in conjunction with the bill as it stands, there's a possibility that four or five questions could be on the ballot. We could have Council at large on the ballot, we could have a combination of seven and four on the ballot, we could have a combination of six and three on the ballot, and we could have a combination of all districts on the ballot.

So, if this resolution passed, yes, in conjunction with the bill as originally drafted, you could have four or five questions on the ballot which means the question that won that would govern the City of Pittsburgh could win with less than one-third of the voters participating, or less than one-third of the voters in favor of that form of government.

I think what we did in 1981 is we learned a lesson. We learned a lesson that two-thirds of the people of the City of Pittsburgh are not in favor of any one form of government. We had three questions on the ballot in 1981; Council by district, Council at large, and a combination. Council at large won by a small majority but that still means that two-thirds of the people of the City of Pittsburgh were opposed to either Council at large or Council by district. So, I think we have to give some serious consideration to legislation that's going to be with the City for the next five or ten years.

House Bill 1731 should be tabled; it should be tabled for a number of

reasons. One, I think that it creates total confusion on the ballot because you can have anywhere from four to five to six different questions on which type of government the people prefer; two, as I stated, the preference for the selection of government could be chosen by less than one-third of the people voting; and three, because it leaves the door open for change every other year and we've seen this happen in San Francisco where that one year they went from Council at large to Council by district and the next year they went from Council by district to Council at large.

There's no provision in here for the majority of the people to vote for a particular question. There's no provision in the legislation as it states that once the people of the City of Pittsburgh adopt the form of government that they wish, that two years later they can't go back to another resolution. And this can be done by one person going out on a petition drive. And I think what this does is create total confusion and the elected officials are more concerned with what type of government we have and what we're elected to do.

I think the drafters of the Home Rule Charter had the right idea and I'm in favor of the recommendations that they made in the beginning, to have the people go out on a Home Rule Study Commission. This does a number of things; it lets the Home Rule Study Commission which is elected to go out to all the neighborhoods in the City of Pittsburgh and lets them go out to all the residents in the City of Pittsburgh, as Mr. Givens stated, and lets everybody have input in the type of government we wanted. If this was done in 1981 when this was first proposed, we would be out on a referendum today and the people, all the people in the City of Pittsburgh, would have the right to participate in what type of government we want.

Under Bill 1731, what it does is it lets this Council put a referendum on the ballot and it lets anybody who goes out on a petition drive put the question on the ballot. So, I think you have to give serious consideration both to Mr. Pollock's resolution and also to Bill 1731 because I just think it causes total confusion and it doesn't leave the people of the City of Pittsburgh have the input that they should have on a question that's this important and it's going to govern their lives from here on out, at least for a number of years.

Mr. Pollock:

There are two things that I want to clear up because there has been a lot of misstatements about them so far this afternoon. I'll try to state them as succinctly as possible so that there's less trouble in the comprehension thereof.

The first is that if this bill is passed, there is nothing on the ballot. All this bill does is then permit Council to put something on the ballot, which right it does not have now, and/or the voters of the City of Pittsburgh by petition to put something on the ballot.

The second thing is that Mr. O'Malley was right, that there could be 20 different questions on the ballot. Council could put a question on and 19 different groups of people out there could get petitions to put a question on the ballot. But each one of those questions will be a yes or no question. Shall Council be elected with six districts and three at large? Yes or no. Shall Council be elected all at large? Yes or no. Shall Council be elected all nine districts? Yes or no. Shall Council be elected sixteen districts and three at large? Yes or no.

No matter how many questions there are, each one will be a yes or no

question. So, Mr. O'Malley's statement that there could be a minority of people selecting the way we go is inaccurate because the bill, as I stated, brilliantly covered that in that, if there are 20 questions, it's not an option between which of the choices that you have. Each one is yes or no. And the bill states that the winning referendum question will be the one with the most yesses. So, by definition, the one with the most yesses will have a majority of people because there will have to be more yesses than noes on that question. It doesn't matter how many other yes or noes there were on the other questions, the one question with the most yesses will be the winner. So, if there are 20 questions on the ballot with yes or no answers, the one with the most yesses will be the way we go. It's not real hard, folks.

Mrs. Masloff:

Mr. Pollock, that was exactly what was on the ballot before, three issues. It was a three-pronged monster. Now we're putting a three-pronged monster on again.

The Chair:

Mrs. Masloff, but the thing is, this is going to be binding and the one with the most yesses -- Just like we won on Council. Nobody here gets 50 percent of the vote; we're lucky if we get a third, but we're all elected. That's a fact. So, the five people like we just ran this year, the ones with the most votes, even though there were 20 candidates, they were elected. This would be the same way, only you'll have one system. If there's 20 questions, the question that has the most yes votes, that will be the system.

Mr. Pollock:

Let me just answer her question to me. The difference between this time and last time is very important. Last time there were three questions and I think all three had yesses or two of the three had yesses. So, they had to throw it out because the bill at the time did not state the one that had more yesses won. So, there were two that were successful and they were contradictory. So that there was a referendum which said we will have it by district and there was a referendum that said at large and they both won so they had to throw it out because they were contradictory questions.

This one says that in the event that ten bills pass with yes answers, yesses outweigh the noes, the one with the most yesses wins. And that wasn't there the last time.

Michelle Madoff:

Mr. President, I need some clarification and perhaps you could help me. Does everybody have a copy of this bill?

The Chair:

I have.

Michelle Madoff:

I believe I looked at it some time ago and I must confess that I have not looked at it recently. My understanding, and obviously it is erroneous, is that as opposed to the three-pronged monster which was a yes or no on three issues, now we're going to have a ten-pronged monster which is yes or not on ten issues but the thing that changes is that this is a binding referendum and the other was not binding and the one that has the most yesses would win.

Why would we not change that system, Mr. President, and put whatever goes on the ballot, whether its people going out and petitioning signatures or whether its this Council having the the authority or the Election Board to form a question to go on referendum and make it a choice of just one of whatever is on the ballot. In other words, you would vote for either six-three, seven-four, all by district, all at large, whatever of the 20 or 3 or 5 questions that were on, you'd only have one vote, a yes. Why can't we have that come out of the bill?

The Chair:

I believe that's the way it will be.

Michelle Madoff:

According to Mr. Pollock, he just stated we will vote yes or not but the one with the most yesses and I think he's mistaken. I think that we will have the authority and have the Election Board put on the ballot a multiple choice question.

Mr. Pollock:

I have the bill here.

Michelle Madoff:

I may have misunderstood it. That's the question I'm not clear on. And I think it's unfortunate that the bill does say you will be able to say yes or no and the one that gets the most yesses would win. At least it will be binding and you said yourself, and I think you put it very well, Mr. President, it's like we get elected, none of us get 50 percent of the vote, it's just that the one that gets the most votes would win. There's another word for that; it's called democracy. I think I've heard that word but they don't do it that way in Russia. I would prefer to have a choice of just one choice out of

all the options.

Is there any way that we could send a message to our Legislators to amend Bill 1731 to just make it a choice of whatever the options are? Is that conceivable, Mr. President?

The Chair:

Sure, he could amend this resolution.

Michelle Madoff:

Mr. Pollock, would you be willing to amend it?

Mr. Pollock:

Wait, Jeep was talking to me.

The Chair:

Well get back to you. Just so you vote for one.

Mr. Pollock:

The bill doesn't say that though.

Michelle Madoff:

May I speak for myself, please?
May I rephrase the question?

The Chair:

As long as you speak through me.

Michelle Madoff:

I asked you for permission. First of all, I would never, ever usurp the man who is going to be the next Controller. He thinks.

Mr. Pollock, my question was, would you be adverse to amending your resolution to asking the Legislators to

amend House Bill 1731 to allow the voters to vote with one yes of all choices that are present as opposed to yes or no on each one which really is a very confusing way to run a referendum question. In other words, they would say, "Yes, we want to have election by district" or "we want to have it by combination", whichever; that combination could be 7-4, 3-6, 7-2. There could be five or six options. But the public would vote only for one yes. Would you be adverse to asking the Legislators to change this resolution to that form?

The Chair:

Okay, I'm going to let Mr. Pollock answer and then Mr. Wagner has the floor.

Mr. Pollock:

Alright, Michelle, the only reason why I would suggest that you not go that way is because Jeep brought this point out during our private discussion a second ago. Let's say that Council would put by resolution on the ballot a question that would be yes or no, do you want to go all district. And let's say that the citizens by petition put on the ballot, yes or no, do you want to go 7-4. And some other citizens put on the ballot, do you want to go 6-3. And no one puts on the ballot the option of staying the same.

By your bill, we would have to change because someone would have to come up with a yes. You'd have to choose among all of them. By having each one of them being a yes or no, as Jeep pointed out, the voters can go and vote no on everything and that way it stays the same. In other words, the voters are saying we don't want to make a change.

So, if that option is not put on the

ballot that they be all at large and the voters are only given the choices of districts or 6-3, 7-2, 8-1, that they can go in and say, "Hey, we don't want any of these choices, we're happy the way it is", and vote no on everything and then it stays the way it is.

Michelle Madoff:

Mr. President, I think Mr. Pollock misunderstood me. I asked him earlier and he said that I was correct in understanding that his amendment to the present resolution asking the Legislator to also include staying as we are would give us three options instead of two. I'm saying to include staying as we are at large, going to election by district and whatever division that might be but only allow one vote.

Mr. Pollock:

Michelle, you're confusing two things and they're very, very fundamentally important. What the bill provides for option does not put those options on the ballot but puts on the ballot is only what the bill permits you to do but you still have to have some means of getting it on the ballot, either by petition of the citizens or Council. And if nobody does that, then the voters are not given the option of leaving it the way it is.

The Chair:

Mark, and I'm not trying to interpret for Ms. Madoff, but I think I understand what she's saying and I agree. If nine of us run for Council or for Mayor, you can only vote for one. You go in and vote yes. You don't vote no for the other eight. You vote just one yes and it's automatically a no for the other eight.

What she is saying, and I assume,

that if there's ten questions, three questions, two, thirty, you go in and vote your preference, just a yes, and there's no noes, because by you not voting for anything else it's a no. Then the one with the most yesses becomes the winning form of government, the winning candidate, or whatever. I've never seen on a ballot, even on the question, are you for or against. It's always yes. So, if you have a couple questions, you vote whatever question you want. If there's five of us running and there's twenty candidates, you vote for the five candidates of your choice. The ones you don't vote for, you don't say no on the ballot.

Michelle Madoff:

Mr. President, you interpreted what I said correctly but you left one little thing out. Mr. Pollock could not possibly be naive enough to believe that this Council would not put as one of the options on that ballot to stay as we are. So he doesn't have to worry about that not being an option.

The Chair:

He already has it in this resolution.

Mr. DePasquale:

Ben, you're confusing an amendment with the ballot, with a vote for office. It's a yes or no on every amendment. It has to be yes or no on amendments.

The Chair:

I realize what you're saying; I'm just saying what Michelle wants on that bill. There's no yes or no; you either vote for one is what she's saying, just like you'd vote for a candidate.

Mr. DePasquale:

I just want to make it clear, there is a yes or no on the amendment.

Mr. Givens:

A couple other observations on referendums. This City, County nor State is considered a referendum city. When you do referendums like they do out in California, if you remember Proposition 13 out there and what it did, it almost destroyed the government as well as the people in all of the municipalities out there and still has great rippling effects on the educational system and everything else within that particular estate, all because of a proposition that was navigated through with the most amount of money, meaning the real estate people of California, pushed that thing through the skies. And they had enough bucks to give it the biggest advertisement.

Again, if you bypassed the Home Rule Charter, the reason it gave it a Home Rule Charter was for us to determine our own destiny, not that of the state, and to continue with this particular bill right here, I only read it when I came in late this morning, the first opportunity I had to even look at this particular resolution before us. And here we are. And the same concerns that I voiced in the very beginning, I'm glad to hear some of my fellow Councilmen echo what this bill means up in Harrisburg right now.

Again, I can't make it stronger. Leave the people of the City of Pittsburgh decide what type of government and I'll tell you something, the minorities, after a good rain-out of a good Home Rule Study Commission will in fact get their points across much better than putting it on a referendum question. And then when the referendum

question comes up, everybody will know what it is, what it means, and it will be fully debated. That is the way to do it in any democracy.

Mr. Wagner:

Mr. President and members of Council, I think there's three issues here. Number one, do we support a referendum question. Number two, do we support an amendment to Bill No. 1731. And Number three, do we want to see Bill No. 1731 move in the State Senate and voted on positively.

The first point, which Mr. Givens just referred to, is referendum. A referendum is the truest form of participatory democracy. Many times you'll hear different people say that referendums are taking away the responsibility of elected officials. I think on major issues that have major impact on government, whether it be how the legislative body is elected, whether it be whether or not you want greyhound racing, a new form of revenue in the City, whether it be the sale of a major City-owned facility such as the Stadium, or any other major issue that can impact this government for a large number of years, decades, I believe that a referendum is a positive way to move to get a feel for what the public and what the voters think. There are side benefits to referendums. Many studies have been done on referendums and its a proven point that more people come out and vote on election day when there is a referendum that is of particular interest to the public. Now, if more people come out and vote, a lot of people believe that that's good, a lot of people believe that that isn't good. I personally believe that the more people that come out and vote, the better feel you have for what the public believes and there is greater input as to not only the answer of the referendum question itself, but also

people that are running for office at that time, for whatever office.

I simply want to make that point because there's a very important election coming up in November and we all have to wonder if referendum questions can impact the number of people that come out and vote and if they do impact the number of people that come out and vote, will it impact the elections in November? That's an important question and I don't think that should be overlooked here because obviously there is a great movement for this bill to move quickly in the State House and then there is a great movement to see it sit in State government. Now, I'm not suggesting anything but I'm only stating the facts that referendum questions have repeatedly and historically brought out more voters at election time.

The second part of the this is the question of amending the bill to include a third option which I feel is a justifiable option because it's an existing form of government. A lot of people may say that may be watering it down but I don't think so.

The third item is simply to request that the bill in the State Senate move promptly and be passed by the State Senate.

So, I think there's three issues here. But I believe that the most important issue is the referendum issue and on an important issue in government it's important to get public participation. There is nothing wrong with public participation, the voters to come out and vote on an important issue. This is an important issue. It's been discussed for the last five years. If it's not decided it will be discussed in 1991 and it will continue to be discussed come a new century, 15, 14 years from now. So, I would like to see it get on the

ballot; I would like to see the public decide. I think this Council can argue forever on this issue and we all have our own individual opinions. It's time to get public opinions.

Mr. O'Malley:

If I could remind my colleagues, the original bill, 1731, only provided for Council elected by district at that time and it was either a yes or not vote. If the people voted no, then we stayed at large as we are. Since that time, 1731 has been amended with a number of amendments. One of the amendments include a combination. My personal opinion is, for a number of reasons that I stated it was poorly drafted, but one more is that the people of the City of Pittsburgh can vote on a variety of legislation or a combination of Council. But what 1731 does not provide for is the people choose Council by district or a combination, what district are they going to be residing in and what Councilperson is going to represent them.

Under the Home Rule Charter and the Home Rule Study Commission, the district lines are drawn up and people have an opportunity to vote for it. Under 1731, the district lines are not drawn up until the former government is already approved by the Study Commission or by the Commission that's set up under 1731.

So, I think it's very important that people have an input as to what district they're going to reside in and what Councilperson might represent them. Under 1731, there's no provision for drawing the lines and there's no provision for the people of the City of Pittsburgh to have any input into the way their district is shaped and formed.

Michelle Madoff:

Mr. President and my colleagues, let's face it and let's deal in the real world. The minority black population of this City is not represented on this Council. They are virtually disenfranchised.

I believe, and this is a personal opinion, that once this bill is passed, and I believe it will be passed with or without us, the division of the City by district will probably follow the lines of the School Board. I believe that's what will happen. It will be a simple way to do it and I think that will be the recommendation of perhaps the Election Board.

I also believe that we were called upon to vote for \$75,000 for starters, and that was chicken feed and the tip of the iceberg, to defend this lawsuit. I believe I was one of the people that did not vote for that money. And I also believe, and my gut is never wrong and I always get into trouble, media, when I don't listen to my gut. My gut tells me the lawsuit being pursued by the minorities of this community who are disenfranchised, are going to win. It isn't a matter of are they going to win, because they are; it's just a matter of are we going to delay the process, and I don't think we can. And if we delay it, all we'll do is run again next year and then have to run again the year after. Some of us may look at different options; some of us may run for Controller. I'm going to do a poll right after November to see who they're like to vote for for Controller, including myself. And then I'm going to decide whether I'd be best serving my public by sitting on this Council. My question is going to be a very simple one, on my poll; would you vote for Mr. Woods, Mr. Flaherty, Michelle Madoff, or Jeep DePasquale? Yes or no. And if I win 2-1, I may run for Controller unless I feel I

can better serve sitting right here.

And that's really what it's all about. We all don't want to lose a job and we should put the moral issue before our own private interest. I don't want to have to run against Mark Pollock in the Squirrel Hill area where I believe my biggest support comes from. I think he's very popular in that community. But I'll take my chances. I don't want to have to run against Mr. Wagner in the 19th; I think he's very popular. But I'll take my chances.

Let us give the public what they're entitled to and that is the right to their voice. Let's put it on the ballot.

Mr. Pollock:

I heard Michelle is moving to Oakland.

Michelle Madoff:

That could be an easy one.

The Chair:

Okay. There's no more debate on this but I would like to ask, does everybody understand what this bill says? Does everyone have a copy and has everyone read it thoroughly? Ms. Madoff, you've read the bill thoroughly? Not this resolution.

Michelle Madoff:

I've read the original bill but as I pointed out earlier I had not looked at it for some time and I asked for clarification and it was given by you today and by Mr. Pollock. Thank you.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. Pollock	(Pres't)

AYES 5 NOES 4

VOTING NO:

Mr. DePasquale	Mr. Grabowski
Mr. Givens	Mr. O'Malley

And a majority of the votes of Council being in the affirmative, the motion was approved.

Mr. Wagner:

On another issue, Mr. President, is it possible to suspend Rule 8 on the petition that we received today pertaining to the public hearing in Public Safety? Is it possible?

The Chair:

Yes.

Mr. Wagner:

So moved.

Michelle Madoff seconded the motion.

Which motion prevailed.

Michelle Madoff:

Two items, Mr. President. We had a bill passed in this Council; it was an animal spayed bill. I do not know what is happening. I have numerous letters in my office from numerous organizations

and I would like to know the status of that bill as soon as possible. I've asked Mr. Pellegrini and I have not had a suitable answer. Could we please find out the status of the spaying bill? Could we do that please?

The other item, Mr. President, as I pointed out to you and you asked me not to discuss it when we were discussing the bill, 848, which I missed, Mr. Wagner's bill in Public Safety, the transfer of money. I have two items here; let me take one first of all. Mr. Perry, your office put out a cover letter that has a small error but it's a very serious one. It is a request for a public hearing on the East End for people who feel that the minority employment is down.

Mr. Perry:

That's an invalid petition.

Michelle Madoff:

You said this petition is invalid because it does meet the requirements?

The Chair:

Does not.

Michelle Madoff:

Well the word not is not in there.

Mr. Perry:

It's a typo. It's an invalid petition.

Michelle Madoff:

That's what I wanted to understand because if it was valid because it said invalid because it does meet, you're not is missing, because it does meet, I was going to say let's combine it to the one hearing on minority and set asides. But this is invalid; is that correct?

The Chair:

It's up to Council, whatever Council wants to do.

Michelle Madoff:

You said it was invalid.

Mr. Perry:

I said it's invalid.

Michelle Madoff:

Okay. Then there's not a problem, it doesn't have to be dealt with.

The other issue is what happened at the festival. I have friends who went to the festival at 6:00, the wife had been ill, and they decided by 8:30 that they had had enough. They looked around and saw gangs congregating. The husband said to the wife, "I don't like the look of this; let's get out of here" and they got out in what they believe was in the nick of time.

They called today to ask me why was this City not prepared with the numbers of police for the amount of people that showed up. What excuse could we possibly have, and furthermore, once we found out that you had the tremendous number of people there, could we not, on an emergency basis, have called out other police? They would like an answer to that question.

The one that worries me more than any other question, and I am absolutely, I can't even put it into words, is the thing that this Council is going back to Mayor Caliguiri when he sat on this Council, about the number of police. Every year I point out that we lose 50 police by attrition and we put on a class of 40.

This year it is projected that we're

going to lose 72 police officers by attrition. And Mr. DeRoy, if I can believe the newspapers, they frequently misquote me but I'm going to accept this one, said that he is saying it is very unlikely, or someone is saying, that it's most unlikely that we're going to put on more police. I am worried about that. The public is worried about that. And I hope that that will be covered at the public hearing and I presume you're going to schedule one, is that correct?

The Chair:

That's why Mr. Wagner asked to waive Rule 8 so we could discuss what happened last night and all these other issues.

Michelle Madoff:

May I respectfully request two things. One that it be televised and secondly that we have a display ad. That is the rule of this Council, that we do not have a display ad unless it is voted on by this Council, it goes out in a legal form. I plead with the media to please, before the hearing, to let the public know that they can either tune in or come down and watch the hearing.

I don't know whether this is the appropriate time, Mr. President, to ask for it to be televised or when we set the hearing.

The Chair:

Wait until we set the hearing.

Michelle Madoff:

Would you make a note that I am asking for that, please? Thank you.

Mr. Givens:

I have a very pressing issue where

trees, the rooting system had been killed on them by construction of water lines out in the eastern area of the City of Pittsburgh. I'd like to call Louise Brown in because that's the Forestry Division.

People have asked that the trees be taken down. The City is under litigation with a contractor and they want that as their proof. The trees have now been standing, and I'm talking about a number of trees, have been standing now for two years and any forestry person will tell you, after a tree is dead for one season it's pretty unpredictable. After two years, it's so dried out that the least amount of wind could come by and knock off a major branch weighing very heavy and we have pedestrians, children, walking underneath these all the time.

I have sent a letter down from my office asking that something immediately be done. Nothing has been. So, I need some quick action on this and I need to have Louise Brown and, Mike, if you can think of anybody else. You better get someone from the Water Department because it was the Water Department who issued the contract and I'd like someone from our Legal Department who is apparently in litigation with this contractor. I want all these facts to be brought out. Are we in fact in litigation, who are the contractors, and how many trees are we talking about. It's numerous.

You can see what's happening today. They're going through the sidewalks and much of our sewer replacement and in doing so they're killing all the trees along out byways rather than coming in the middle of the road. So, we have to look at both sides of this issue and say do we want to continue doing this and if we do do it, do we plant new trees or what do we do when we know we're going to disrupt and kill the other trees. But the imminent

problem is the danger of the trees falling on one of our people and the City of Pittsburgh being sued because the residents throughout that eastern area where some major sewer repair had gone on and water repair work have by letter and request and even by some legal people are asking to remove these trees.

So, please, this Wednesday, if we could have a quick post agenda.

The Chair:

This Wednesday we can't. It will have to be next week. We have two posts and a hearing, I believe.

Mr. Givens:

Are they going to be lengthy posts, do you think?

Mr. Perry:

McArdle Roadway is one of them.

Mr. Givens:

Okay, what else?

Mr. Perry:

The elevators.

Mr. Pollock:

Whose is that?

Mr. Perry:

Michelle Madoff.

The Chair:

We'll see how long they're going to be and try to schedule it late.

Mr. Givens:

Okay if you want to hold it for one week but then again it's the urgency that I'm trying to get it in there for. Please get the letters out today if you can, Mike, so the bureaus are aware of it and maybe they can start some action right away on it or inform me of what they are doing.

Mr. Wagner:

Mr. President, a follow-up of Councilwoman Madoff, I'd like to formally ask our City Clerk to ask the Director of Public Safety for a follow-up report on yesterday's incident, whether or not we had enough police officers there. We've been having festivals down there for over 20 years and we should be prepared for these types of incidents with a sufficient number of police officers, sufficient number of canines, and we should be more than prepared and we should not be taking police officers from the districts to service these events in Downtown Pittsburgh.

I'd like that question answered also. I think it's important that we get a report of that type because we're going to have many festivals and affairs in Downtown Pittsburgh. This is the second week of June and we have three more months of it and we certainly want to find out if we're properly prepared in the future.

The second item that I'd like to request from all City departments prior to the public hearing is the number of employees that we have in all the departments at the present time and the number of employees that we had in all departments ten years ago. There's definitely a concern of the attrition that exists within the Police Bureau and I would like to determine how those numbers compare with other

departments. If there is a reduction in the number of officers, I would like to know if its comparable with other departments throughout the City of Pittsburgh.

The third item that we need to request, and I have requested it verbally and formally, and it was promised to this Council with an interim report and a final report, is the consultant study that was to be completed as of the end of May for the Pittsburgh Police Bureau. I have formally requested a copy of the interim and the final report. The interim report was to be due at the end of March and the final report at the end of May. I have received neither. I would like to see what this consultant report is saying, I would like every member of Council to be provided with a copy of it. When we voted on that consultant, the dollars for that consultant report, it was indicated and it's part of the record, that we would receive copies of the interim report and the final report. We have received neither and I would appreciate if we would make a formal request for copies of that report. Thank you.

And on the motion of **Mr. Pollock**

Council adjourned.

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Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Monday, June 16, 1986

No. 24

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, June 16, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. DePasquale presented

No. 981 Resolution providing for an Agreement or Agreements with the URA to act as agent on behalf of the City of Pittsburgh to administer the

Mine Subsidence Relocation Program, cost not to exceed \$50,000.00, for relocation assistance; and transferring \$50,000.00 from Code Account 41, Refunds-Real Estate Taxes, Index Code 004101, to the Mine Subsidence Trust Fund (MSTF). -- (SPONSORED BY MR. DEPASQUALE)

Mr. DePasquale moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 982 Resolution providing for the issuance of a warrant in favor of Sonitrol of Pittsburgh in the amount of \$2,050.00 in payment of the installation and phone line drop charges for an electronic security system at South Side Skating Rink. and providing for the payment thereof charging the same to Code Account EC 86-83, 4-13-95-2030-86, Index Code No. 352872. This system will provide full burglary and vandalism protection.

(PRIOR APPROVAL GRANTED ON APRIL 28, 1986)

Also,

No. 983 Resolution providing for the issuance of a warrant in favor of Pugliano Construction Company (Angelo

J. Pugliano, President) in the amount of \$15,356.00 in payment of Extra Work being in addition to the original contract price of \$739,000.00 on Controller's Contract No. 27222, furnished for the benefit of the City in connection with the Pittsburgh Zoo, Phase 4.1: Plaza, and providing for the payment thereof, charging the same to Code Account PR 81-02, 4-13-60-1230-81, Index Code No. 320358. (PRIOR APPROVAL GRANTED ON OCTOBER 31, 1985 AND JANUARY 13, 1986)

Also,

No. 984 Resolution providing for the issuance of a warrant in favor of Vern's Electric (Marlene Gillenberger, President) in the amount of \$2,128.26 in payment of Extra Work, being in addition to the original contract price of \$12,990.00 on Controller's Contract No. 27768, furnished for the benefit of the City in connection with the Emergency Medical Station No. 1; and providing for the payment thereof, charging the same to Code Account EC 86-78, 4-13-95-0001-86, Index Code No. 352773. (PRIOR APPROVAL GRANTED ON MARCH 6, 1986)

Also,

No. 985 Resolution providing for the issuance of a warrant in favor of F.A. Beto, Inc. (F.A. Manfredi, Jr. - President) in the amount of \$10,672.00 payment of Extra Work, being in addition to the original contract price of \$176,165.00 on Controller's Contract No. 27769, furnished for the benefit of the City in connection with the Emergency Medical Station No. 1 and providing for the payment thereof, charging the same to Code Account EC 86-78, 4-13-95-0001-86, Index Code No. 352773. (PRIOR APPROVAL GRANTED ON MARCH 6, 1986 AND APRIL 29, 1986)

Also,

No. 986 Resolution providing for the issuance of a warrant in favor of Clarence Lutch & Son, Inc. in the amount of \$5,488.48 in payment of Extra Work, being in addition to the original contract price of \$523,433.00 on Controller's Contract No. 27492, furnished for the benefit of the City in connection with the General Construction of the Noblestown Road Fire Station No. 29; and providing for the payment thereof, charging the same to Code Account LB 84-17, 4-13-80-1954-84, Index Code No. 350264. (PRIOR APPROVAL GRANTED ON MAY 13, 1986)

Which were severally read and referred to the Committee on Finance.

Mr. Givens presented

No. 987 Resolution transferring the amount of Fifteen Thousand (\$15,000.00) Dollars from Code Account 1611-1, Utilities, Bureau of Operations, Index Code 161117, to Code Account 1502, Miscellaneous Services, Director's Office, Index Code 150201, both accounts within the Department of Public Works.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Pollock seconded the motion.

Which motion prevailed.

Also,

No. 988 Resolution vacating Livingston Street from Adelphia Street to the Angle 77.36 centerline feet northwardly in the 10th Ward of the City

of Pittsburgh. (Petitioners have requested this vacation for side yard convenience).

Also,

No. 989 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Louis Gaetano, Frank Gigliotti and John Tortorete to attend the International Public Works Congress and Equipment Show in New Orleans, Louisiana from September 20-25, 1986, at a cost not to exceed \$3,350.00, payable from Code Account 1502. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Works.

Michelle Madoff presented

No. 990 Resolution providing for a contract or the use of existing contracts for the repair of the air conditioning unit at the Water Treatment Plant, at a cost not to exceed \$21,000.00, chargeable to and payable from Code Account 1922, Miscellaneous Services (192203).

Which was read and referred to the Committee on Water.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Mr. O'Malley presented

No. 991 Resolution providing for the issuance of a warrant in the amount of \$10,000.00, payable to Alice

Karabasz, c/o Jonathan E. Jones, Esquire, 322 Boulevard of the Allies, Pittsburgh, PA 15222, in the full settlement of a claim for personal injuries when she fell on the public steps located across the street from 2646 Louisiana Avenue and providing for the payment thereof, and charging the same to Code Account No. 46, Judgments, Index Code 004606.

Also,

No. 992 Resolution providing for the acquisition from Alex Kolas D/B/A Kolas Brothers of certain property in the 15th Ward for the development of a tot lot certain property in the community of Hazelwood fronting on Second Avenue between Renova Street and the Glenwood Bridge. Total amount not to exceed \$15,500.00.

Also,

No. 993 Resolution providing for an Agreement or Agreements with The Prudential Asset Management Company, Inc., for professional services in connection with the administration of the Deferred Compensation Plan for City of Pittsburgh personnel, at no cost to the City.

Also,

No. 994 Communication from Tom Flaherty, City Controller, requesting reimbursement to Robert Kubit, Executive Secretary, for expenses incurred while attending the Government Finance Officers Association Conference in Los Angeles, California from June 1-4, 1986. Total cost not to exceed \$1,100.00 chargeable to and payable from Code Account 1048, Miscellaneous Services. (Mr. Flaherty was unable to attend and Mr. Kubit went in his place).

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 995 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 16, by changing from "M3" Light Industrial District to "R2-T" Townhouse Residence District certain property located in the general vicinity of NORTH LANG AVENUE, the PATWAY, NORTH MURLAND STREET and SUSQUEHANNA STREET, 12th and 13th Wards.

Also,

No. 996 Resolution approving a Conditional Use Exception under Section 993.01(a)A(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for erection of a four-story and mechanical penthouse addition to the rear of the existing Western Psychiatric Institute and Clinic Building on property zoned "I-C" Institutional-Civic District located at O'HARA and DESOTA STREETS, 4th Ward.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 997 Communication from Glenn Cannon, Acting Director, Department of Public Safety, requesting permission for Douglas Garretson, Gregory Tutsock and George J. Burgman to attend the 9th Annual EMS Conference in Harrisburg, PA from June 27-29, 1986. Cost not to exceed \$1,200.00, payable from Code Account DPSTPP. Permission to use City vehicle is also requested. (PRIOR APPROVAL GRANTED)

Also,

No. 998 Communication from Glenn Cannon, Acting Director, Department of Public Safety, requesting permission for Catherine R. Vallone to observe the operating procedures of their established Organized Crime Investigating Units in Columbus, Ohio from June 29-July 2, 1986. Cost not to exceed \$350.00 payable from Code Account DPSTPP. Permission to use City vehicle is also requested. (PRIOR APPROVAL GRANTED)

Also,

No. 999 Communication from Glenn Cannon, Acting Director, Department of Public Safety, requesting permission for Harold Denson, Anthony Laush, John Marks, John Bronder, Robert McCaughan and Thomas Huerbin to attend Phase III, Module II, Low Head Dam Rescues in Harrisburg, PA on June 21, 1986, at a cost not to exceed \$325.00 payable from Code Account DPSTPP. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Safety.

Mrs. Masloff presented

No. 1000 Resolution providing for an Agreement with the Fifteenth Ward Volunteer's in connection with Summer Football Program at a cost not to exceed \$1,500.00 from Code Account No. 1838, Miscellaneous Services, (183806) Department of Parks and Recreation; transferring \$1,500.00 from Code Account No. 10, Accounts Payable Prior Years, (001008) to Code Account No. 1838, Miscellaneous Services (183806), Department of Parks and Recreation. -- (SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on Parks and Recreation.

UNFINISHED BUSINESS

The Chair presents

No. 976 Resolution that the appointment by the Mayor of Linda A. Cobb of 727 North Mathilda Street be and the same is hereby approved as a member of City Court.

Which was read.

Michelle Madoff moved to approve the appointment.

Mrs. Masloff seconded the motion.

Which motion prevailed.

The Chair:

I'd like to add one other thing under Unfinished Business. Mr. Perry, would you please read this into the Record.

(LETTER REQUESTED BY MR. WOODS)

American Red Cross
Pittsburgh-Allgheny County Chapter
225 Boulevard of the Allies
P.O. Box 1769
Pittsburgh, PA 15230
(412) 263-3100

June 16, 1986

Dear Mr. Woods:

I understand from one of our volunteers, Mr. Francis Frahllich, who was watching City Council proceedings on Wednesday evening 11 June 1986, that very serious misinformation was given to Council about American Red Cross services to the victims of the 30 May flash flooding in Pittsburgh's suburbs. I request the opportunity to appear in person before City Council at your earliest convenience to refute that misinformation.

During debate on a proposed \$50,000 grant from City Council to assist disaster victims, one of the speakers is alleged to have said that Red Cross was "charging" disaster victims for assistance rendered by Red Cross. I can state authoritatively and categorically that all Red Cross assistance to victims of any disaster is given freely, without charge, and without any request or expectation by Red Cross that the victims ever pay back the cash grants that we give for food, shelter, clothing, furniture and medical supplies.

Red Cross as an organization is able to provide all these services only because local corporations, foundations and individual donors have confidence in us and support us as generously as they do.

To allow misinformed comment about Red Cross disaster assistance to go unchallenged and uncorrected is to risk having disaster victims forego our assistance and also to jeopardize the trust that volunteers and contributors have placed in Red Cross.

I do not believe I am asking too much in requesting equal time in the same public forum to correct the record on this important matter.

Thank you for your consideration of this request. I hope to hear from you as soon as possible.

Sincerely,

William K. Scattergood, Jr.
Acting Executive Director

(END OF LETTER)

Mr. Pollock:

Along the same line, I'm glad this letter came and I appreciate you

allowing it to be read because I received several calls on this matter because some misinformation did go out.

I just wanted to add in addition to that letter that it should be pointed out that the Red Cross has spent between one-quarter million and a half million dollars related to the flood relief for the Pittsburgh North Hills residents and, as the letter so succinctly stated, none of it is paid for. So, that's a sizeable amount of money and I for one want to thank the Red Cross for being there and appreciate him sending the letter.

The Chair:

So everybody knows, I don't feel there will be any need for the gentleman to come in before us. We've already given more time here than the few comments that were made and so everybody listening and all of us, they do not get reimbursed or do not get paid by any victims of any disaster.

Mr. Grabowski:

Mr. President, since I was the one that made that statement, I stand corrected and I apologize. That was my understanding but obviously I was wrong.

The Chair:

Thank you.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1001

Report of the Committee on Finance for June 11, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 881

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a professional consulting firm, David M. Griffith and Associates, LTD., to prepare a cost allocation plan and indirect cost study for the City of Pittsburgh for a period of three years and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9. NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 912

A Resolution entitled, "Resolution providing for the issuance of a warrant without previous authority of law, in favor of Page-Lambert Enterprises, Inc., Robert Hatch, President, and Marie

Hatch, Secretary, as the sole source of automotive parts not covered under contract, in an amount totalling \$3,025.60. Funds are available in Code Account 1148, Index Code 114801, Automotive Parks, Department of General Services."

Which was read.

Also,

Bill No. 913

A Resolution entitled, "Resolution providing for the issuance of two warrants in the total sum of \$12,256.50 in full settlement of the claim of Sam Fibus and Betty Fibus, his wife, for a taking by eminent domain, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 934

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Salvation Army for the Flood Relief Fund for food administered by the Salvation Army and providing for the payment of the cost which is not to exceed \$50,000.00 and is chargeable to and payable from Code Account 1401, Miscellaneous Services, Department of Public Safety, Index Code 140103; and transferring \$50,000.00 from Code Account 41, Refunds - Real Estate Taxes, Index Code 004101 to Code Account 1401, Miscellaneous Services, Department of Public Safety, Index Code 140103." --(SPONSORED BY MR. GIVENS)

Which was read.

Mr. Givens:

On the bill regarding the \$50,000, that I had introduced, based on the letter that was just read by the Chief Clerk and some other parties that have contacted me, I would like to refer the bill back to Committee with the idea of sending it down to our Legal Department and having them go over that particular Bill 934 and come back to this Council. Can we do this in Council? Is it appropriate? It was completely distorted, apparently and misleading in some of the articles that I read in the local papers as to what the intent of this bill was. There was no money going to the people in the North Hills. Both the Red Cross and the Salvation Army had depleted a tremendous amount of resources locally here and how can they get their resources replenished. If we do have another disaster and emergency someplace within the City of Pittsburgh then they don't have the resources to go into it.

So, for that reason I'd ask the that

the bill be recommitted and we'll discuss it Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Givens presented

Bill No. 1002

Report of the Committee on Public Works for June 11, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 909

A Resolution entitled, "Resolution granting unto Equitable Life Assurance Society, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, nineteen trees in front of the Gateway Building and Hilton Hotel on a portion of the sidewalk of Liberty Avenue in the 1st Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 910

A Resolution entitled, "Resolution granting unto Carson Plaza Associates, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a sidewalk encroachment on a portion of the sidewalk at 2117 East Carson Street in the 16th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 911

A Resolution entitled, "Resolution granting unto Samuel and Janet Taylor, their successors and assigns, the privilege and license to construct, maintain and use at their own expense, a sidewalk encroachment on a portion of Eccles Street in the 16th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 1003

Report of the Committee on Planning, Housing and Development for June 11, 1986 transmitting one resolution and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 923

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A 9 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended to Duquesne University for authorization to construct a multi-purpose sport facility and a 778 stall parking garage on the southerly side of FORBES AVENUE between HOOPER and STEVENSON STREETS, 1st Ward."

Which was read.

Michelle Madoff:

I have two items and I think Mr. Pollock may want to speak before me and I will yield. On Bill 923 I have a question. Does anyone know if the Parking Authority will be involved in the Duquesne University zoning? Will we have any taxpayers' dollars either through an authority or through the City involved? It's very important. We have a declining enrollment and that's been questioned and I just want to be sure that we are not a party to that.

The Chair:

No.

Michelle Madoff:

There is definitely not going to be Parking Authority money in the parking lot at Duquesne University?

Mr. Pollock:

I serve as secretary to the Parking Authority and there's no Parking

Authority —

Michelle Madoff:

Okay.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 315

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 8, by changing from "S" Special and "R-1" One-Family Residence Districts to "M2" Limited Industrial District certain property of Anthony J. Castriota, bounded by: STETSON STREET; the easterly boundary line of the "M2" District located between WEST LIBERTY AVENUE and PIONEER AVENUE; the center line of CAPE MAY AVENUE projected in an easterly direction toward PIONEER AVENUE; and the center line of an UNNAMED WAY (situated between

Woodward and Plainview Avenues) projected in a northerly direction, 19th Ward."

Which was read.

Mr. Pollock:

This is the infamous Bill No. 315, otherwise known as the Castriota zone change. I believe the amended bill is what we'll be voting on today and this is what the different zone has originally petitioned for.

First of all, I would like all of the comments, and I hope that the stenographers don't kill me for this because it was discussed so many times on Wednesday, but I would like all of the comments from all the different Wednesday Committee Meetings brought forth, which will also increase the printing bill but I think it's important.

The Chair:

From all members?

Mr. Pollock:

Right. From all members.

(COUNCIL'S REMARKS ON BILL NO. 315 - WEDNESDAY, 4/23/86)

The Chair:

It was denied by the Planning Commission. The hearing was held on April 15, 1986. Mr. Pollock.

Mr. Pollock:

Motion to hold for one week.

Mr. Wagner:

Second.

Michelle Madoff:

Discussion.

The Chair:

No discussion on a motion to hold, Michelle.

Michelle Madoff:

I just wanted a report on what's happening.

Mr. Givens:

Could we just get an explanation?

Michelle Madoff:

That's what I wanted.

The Chair:

I'll permit that. Mr. Pollock.

Mr. Pollock:

I, along with Councilman Jack Wagner, have been out to the subject property on numerous occasions. We're attempting to negotiate a mutual accommodation between the property owner of the subject property and the neighbors in question, trying possibly to amend the legislation so that less of the zone, less of the property is rezoned. The neighbors have raised legitimate concerns. Jack and I are going out there again at 4:30. We're both hopeful that the neighbors will make some concessions, and if they do then we'll put the legislation back on next week in amended form, and, if not then we'll have to vote on it as it is.

The Chair:

Thank you, Mr. Pollock.

Mr. Pollock:

Jack, do you want to add anything?

Mr. Wagner:

No, except that we are aggressively pursuing somehow bringing the two sides together. It was a very controversial public hearing, and it is the position of Mr. Pollock and myself that if we simply vote this piece of legislation up or down without some amending of the two sides that the situation itself will not actually be corrected simply with a vote, so we're hopeful that something can be reached and something can be agreed upon.

The Chair:

Thank you.

(END OF REMARKS)

(COUNCIL'S REMARKS ON BILL NO.
315 - WEDNESDAY, 4/30/86)

Mr. Pollock:

I think there has to be some discussion as how long to hold it for because I have been given conflicting statements as to when people will be here to vote on this.

Mr. Givens:

May I suggest Mr. Pollock on the hold. To my knowledge and maybe the President Ben Woods can verify this, I don't think we will have a full Council here and the fact that we need seven of nine votes, we should --

Mr. Pollock:

Fine, but I am having a hard time finding when all nine will be here.

Mr. Woods:

Mark, I believe the week -- if it comes back up on the 14th, two weeks.

Mr. Pollock:

But Steve told me he wouldn't be here in two weeks.

Michelle Madoff:

I may not be here, I need a rest.

Mr. DePasquale:

What about the 19th, will he be here then? Will everybody be here for the final vote?

Michelle Madoff:

I am going to take a week off this next coming month. I am wiped out.

Mr. Pollock:

Motion to hold for two weeks.

Michelle Madoff:

I second the motion.

Which motion prevailed.

Mr. Givens:

There is a 60 day time limit on it, as the Chief Clerk so indicated.

Mr. Pollock:

That is a waiveable one anyway, waiveable 60 days.

(END OF REMARKS)

(COUNCIL'S REMARKS ON BILL NO.
315 - WEDNESDAY, 5/14/86)

Mr. Givens:

Mark, what are the limitations?

Mr. Pollock:

Sixty days.

Mr. Givens:

Where are we at on the sixty days?

Mr. Pollock:

We have about four or five weeks.

Mr. Wagner:

Mr. Chairman, could I just take one moment to comment on that? I just want all my colleagues to be aware that there are continual meetings happening between the neighborhood and Mr. Castriota. We are very hopeful and optimistic that we will come up with a resolution or an amendment to this problem and we're optimistic enough that possibly it will happen within the next week.

(END OF REMARKS)

(COUNCIL'S REMARKS ON BILL NO. 315 - WEDNESDAY, 5/28/86)

Mr. Pollock:

Well, I think my colleagues as well as the public as well as the residents and property owners should be enlightened as to what happened since April 15th when we had our public hearing. Both prior to that date and subsequent to that date, I and later on with my colleague Jack Wagner have attempted to work out an amicable resolution to this very bitter property zone change dispute and the good news is that we have come an enormous way far greater than I ever

thought possible. The bad news is we didn't come all the way and we came very close and at one point I thought we had it and by that I mean that what I was trying to accomplish and what Jack was to accomplish was to get the residents to accept a partial zone change; taking part of the property that was the subject of the zone change and permitting that to be altered in a manner that would not be too burdensome to the neighbors. At the sametime having the property owner make concessions, take out fences, install landscaping, put in greenways and so forth and numerous things; in fact the most recent draft of a settlement agreement had 17 different paragraphs, 17 different concessions that the different parties were making.

As I said, we didn't come all the way because the final stumbling block was there infact the vehicles would be part. To sum it up in a nutshell, the dispositive issue was where would the cars be parked? There are three levels of parking, three layers of level ground and the top level has both "R1" and "S" zone. We were trying to see if we could accomplish two things; not rezone an "R1" area which of course, no one wants to do; and number two, provide Mr. Castriota with enough parking places so that he can continue his business or his expanded business.

We weren't able to do that, and so we tried to find another way to give him enough parking spaces and not be a burden to the neighborhood; and we weren't able to do that either, and it has been extremely dishardening. I have spent, I don't know how many hours working on this and I don't know how many times I have been to this site, I guess probably eight between visits with the neighbors and visits with Mr. Castriota and just going up by myself and I honestly feel that both sides have made a very resonable attempt to try and

resolve this amicably so as to not have everybody walk away a loser which is what I think may happen and which is what I was trying to avoid.

I have tried to tell the neighbors that if Council votes then everybody loses because we don't have the power to make 17 concessions that the parties can do themselves; we can't make Mr. Castriota put in one tree; we can't make Mr. Castriota take out a road; we can't do any of that. So, I have tried to force the parties to come to an agreement. I tried to get them to realize that if it is all or nothing then both sides are going to lose because if Mr. Castriota does not get this zone change, he can come before the Planning Commission again and ask for a different rezone and if he is successful then, he doesn't have to make any concessions and that everything that we have been fighting to have accomplished, greenway, landscaping, more attractive by the board, because Mr. Castriota would not have to do any of that; but apparently the neighbors are willing to take that gamble.

The unfortunate about this whole process has been that we don't have the power to mold a verdict whereas a Judge might have in a legal case, it is all or nothing for us and so we have to bite the bullet and take the vote. And I don't think it is really relevant as to who has been more reasonable or who has given more or who has made greater concessions. I don't think it is relevant because number one, none of us live right there that have to put up with what the neighbors had to put up with or live with what the neighbors would have to live with in the future. I can say that maybe I would have made more concession and I would have signed this agreement, but maybe I more of a conciliatory nature than other people are and I am not saying that maybe there are other areas of the city where Mr. Castriota could have

moved his vehicles and not have met with the resistance that he has and there are other communities where maybe the neighbors would have made concessions, but it's a settle principal of law that one finds his victims as one finds them and Mr. Castriota can't pick his victims, he found them the way they are. And so, it comes time to actually say which way I am going to vote on this and it goes back to what was the original principal of why I made an effort to settle it and that was there are conflicting interest here; there is the classic problem between a business in a city and the residents that live there and being members of the Pittsburgh City Council, we have dual responsibilities. We have responsibility of caring for the property interest and the private interest of the residents and at the same time we have the duty of being concerned about businesses in the city. We don't have the luxury of being in the suburbs where there are all kinds of land in which to expand to. And businesses that are in the city are landlocked and if they are going to grow and sometimes they have to grow into residential areas or special zone areas and people have to live with this and sometimes it can't be done. I am very sympathetic with Mr. Castriota wanting to expand his business, wanting his business to grow and really have no where to grow. But at the same time I have to consider the fact that the residents where there first, the residential zone was there first and as much as I want there to be more jobs in the city, it's a balancing test and like I say, it's all or nothing.

And I have to go back to the bottom line of this whole thing and that is that Mr. Castriota knowingly and willfully moved his vehicles into an illegal zone. He knew it, I think he gambled that he wouldn't receive resistance that he did and it was not until he was cited by the Bureau of

Building Inspection that he then tried to take the legal procedure of getting a zone change.

He received an unanimous negative vote from the City Planning Commission and in fact if you read the transcripts of the Planning Commission, he received some severe rebukes from them. He was cited by Housing Court and received a suspended fine. Legally he could have been fined every single day up to \$1,000.00. He has had the use of that property for a significant amount of time.

While I was trying to resolve which way I would vote on this if in fact it did come down to the time of voting, I saw a lot of analogies to the situation facing this Council before I came on it last year involving the Unertl Optical Company on the Northside where a business in the city was trying to get a zone change not because it wanted to expand, but because it was forced to relocate because of a highway. The issue there was similar because there was a residential zone nearby and the property owner had to receive a zone change.

In trying to resolve which way I should go on this, I spent a lot of time talking to the people who were effected by the Unertl Optical decision and receiving input from them as to how they decided the issue; and what it boils down to is there were some very very important distinctions between the two. In the Unertl Optical case received a positive decision from the Planning Commission and when it came before the City Council, it came up with a favorable recommendation from which meant that only five votes were required. Mr. Castriota received a negative recommendation from the Planning Commission. Unertl Optical was more than 350 feet from the residential zone. Castriota Chevrolet is

in fact trying to change a residential zone.

In voting against this zone change, I am doing so with a great deal of sadness and reluctance because I know that Mr. Castriota has the right to come back and seek a zone change for a smaller area and not have to give anybody the time of day; and as I tried telling the neighbors, we all loose if that happens.

But the bottom line is that I cannot condone what Mr. Castriota did. I cannot justify his violation of the law and I will vote against this zone change and ask Mr. Castriota to comply the law, put the property back the way it should be and then if he wants to pursue the matter any further, that's up to him. So my vote is no.

Mr. DePasquale:

Mr. Chairman, if I understand, apparently, there were compromises worked out with Mr. Castriota that he agreed to and the neighbors agreed to, however, it is one that we can't hold him to; for instance, if Council were to vote this zoning up and Mr. Castriota didn't carry the compromise through, there is very little we could do about it. In other words, we were depending on the word of Mr. Castriota, is that correct Mark?

Mr. Pollock:

We have no power to make him comply with anything that he would agree to.

Mr. DePasquale:

In other words, he was willing to make a compromise, but there is no way we can get a guarantee?

Mr. Pollock:

At all times and I should have made this clear, any agreement has to be

between the neighbors and Mr. Castriota. The City of Pittsburgh cannot be a party to any agreement for a zone change, that's called a "contract zoning". All I was trying to do was get the parties to come to an agreement; if they can't agree then it is out of our hands.

Mr. Wagner:

I would like to simply take a moment and reiterate some of the things that my colleague Mr. Pollock indicated and possibly shed a little light on the issue.

Bill No. 315 as everyone knows came in front of Council with a public hearing back in mid April. It has been a very controversial piece of legislation since that time. It has been very close to me because I live about a half a mile from that property and I go by it at least twice a day and I know several of the people that live in the immediate area. I also know the owner of the dealership, as a matter of fact, my last automobile was purchased at the dealership that Mr. Castriota purchased. And this issue I believe has to be looked at from a total perspective to clearly understand the situation.

The issue came in front of the Planning Commission and was not passed by them unanimously. Mr. Pollock indicated some of the reasons why and probably the most severe reason why was the law was broken in terms of contouring land and using it for a purpose of which it was not zoned for. Not only that, a portion of that land was zoned "R1" for a residential use and a request was in as part of this legislation to rezone not only "S" zone but also "R1" Residential Property to Light Industrial Use for the parking of automobiles. Not only is the request in, the property is not being used at this present moment for that purpose. You can go out there

today and look and you will see an excess of 200 cars parked there.

To look at it from a pure and simple zoning point of view, this city does not rezone "R1" property to residential property; it is extremely unusual where that type of situation will exist. I on this Council do not remember an instance in two and a half years where it has happened. It is unusual when you approach an "R1" to change it to Light Industrial. You have to go out to the property and look at it or you would have to have seen it before to know that it was simply virgin property with trees, growth and woods; and at this point in time, it is a lot with gravel and fence around it. It is detrimental to a residential neighborhood, does it decrease property values? Does it harm the city in terms of making it livable and the neighborhood, making it livable? And the answer is an absolute yes, there is no doubt about it. It has been done, the property has been harmed, it is very doubtful that it could ever be brought back to its original state unless you were to give it 10, 20, 30, possibly 40 years to do that.

Mr. Pollock and I since the public hearing have worked very hard to try to work out an agreement between Mr. Castriota and the neighbors. We have had numerous meetings on the property trying to determine if this bill could be amended to please all parties. Unfortunately, we thought that we could have a compromise and was indicated, we thought we were very close to a compromise, however, what I think really what it came down to was that both sides held a position at the very end and would not give in on the final position. I don't think it's worth discussing who is right and who is wrong, I think a compromise is still possible, however, at this stage in the game it doesn't appear as if it will happen. The compromise that was put

forth by Mr Pollock and myself was to eliminate the "R1" zone in the amendment and also part of the "S" zone. The neighbors were very much against any of the top area facing their homes to be utilized as parking and to be quite frank about it, it does harm their property with parking in the area of the property; there are certain portions of the property where parking could exist and not harm the neighborhood, however, the land would have to be contoured, it would have to be changed, the slope would have to be changed and certain amounts of dollars are involved to that. Mr. Castriota is not in agreement to doing that.

So therefore, we think we have come along way, but at the same time the negotiations have hit a point where there is no progress and for that reason I believe it is important to simply move on the legislation as it sits. As was indicated also by Mr. Pollock, I really don't think there is any winner here no matter where the vote goes, whether it goes up or goes down. I think Mr Castriota obviously will loose because he will loose parking spaces if the vote goes against him. If the vote goes against the neighborhood, then the neighborhood will loose because they will have a parking lot beside them. Even if the vote goes in favor of the neighborhood, I still think that to a degree there is a loss because the damage that has occurred to the property. As I indicated earlier, the property will never be brought back to it's original state.

So, therefore, this Council is faced with the a difficult decision and the difficult decision is to vote bill no. 315 up or down. Based on the reasons indicated earlier, the position of the Planning Commission, the fact that they voted this down unanimously, the fact that the las has been broken in the terms of zoning, the fact that the residential

area has been harmed already, it's not a proposal, it has been harmed. I believe that this Council has no other decision but to vote this bill, bill no. 315 down. It's unfortunate that we have reached this point, but I believe we have no other alternative. The only other possible thing that could happen depending on how the vote goes here today, is for some last minute negotiations to occur between now and Monday with the amending of the legislation. I in my heart still feel that is possible, I am very receptive to doing that if both sides want to do that and I believe and I am optimistic that something can be worked out still, but I think the time has come to bite the bullet and to vote on bill no. 315 and I for one will vote against it.

Mr. Woods:

I just want to know if I may Mr. Chairman from Mr. Pollock and Mr. Wagner, all compromises on both sides if there were compromises on both sides, do you have them in writing so that we can look at them? Because I think Mr. Pollock mentioned that there were 17 different items that were agreed to or not agreed to.

Mr. Pollock:

I will be happy to submit the proposed agreement, I don't know what the relevance of any negotiations are because they didn't agree to it and it was all one package.

Mr. Woods:

Well, it means something to me if you made agreements and if people agreed, I would like to see what they agreed on. If you said there were 17—

Mr. Pollock:

—They didn't agree, that's what I

am saying.

Mr. Woods:

No, you said there were 17 points they agreed on.

Mr. Pollock:

What I said was there was 17 paragraphs that were never signed; the last submission of the agreement had 17 paragraphs that was never signed.

Mr. Woods:

And I asked who wouldn't sign it either side?

Mr. Wagner:

Both sides.

Mr. Woods:

And I am asking if I can see it?

Mr. Pollock:

I said yeah, I will be happy to show it to you.

Mr. Wagner:

If I may shed some light on that? There were two proposed potential agreements put forward, one by Mr. Castriota and the lawyers and one by the neighborhood. The neighborhood didn't agree to Mr. Castriota's proposal and Mr. Castriota did not agree to the neighborhood's proposal. That's not to say that many of the points of both sides were not in agreement, but the major issue of location of parking was the major disagreement and that's the issue that has never been resolved and just to clarify that, Mr. Castriota wants all parking that he has today and he wants it excessive. The neighbors do not want

him to have all the parking he has today and they don't want it near their homes and that's basically the major item of disagreement. The other items, trees, the fence line, and things of that nature have been verbally agreed upon, but the major issues of disagreement have not been resolved.

Mr. Woods:

If I can look at the Mark, I would appreciate that?

Mr. Givens:

Yesterday, I tried to bring this subject up Ben, I am in the same agreement as you are, there is a lot of dialogue that went back and forth of which two Council people indicated that they would go out there and do this for the body and I was happy, but I needed a report. Here I am at the last hour trying to make a decision on something that has been going on for months and I got a thumbnail sketch, a very good one, from both sides the Council people. I need to know the in-depth discussion that went on and how each side was leaning one way or the other and what compromises were made and how these steps were made and I want to know who is dealing fairly out there and when the break off point was in order for me just to make an intelligent decision as was everyone trying to cooperate in this business or was there no cooperation at all? In fact there were 17 some agreement made, I think some great progress has been made and that would bear very heavily on my overall decision on how I would vote on this particular issue. So Mr. Chairman, I am at a void right now. I have to do a lot of research on what they have accomplished over the last several weeks and I asked for this briefing yesterday if you can recall and that was not forthcoming. I could have looked at it yesterday, all yesterday

evening and probably this morning too and I will assume that I could have been brought up to speed by that time, but right now unless each one of those 17 points are discussed here in public, which would take some length, I would believe and how each one responded to everything that was put on the table at that particular time, I am not ready to vote. And I would ask that this thing be held until I would have the time to study the issues.

Mr. Chairman:

Are you making a motion Mr. Givens?

Mr. Givens:

I would like to make a motion to hold it for one week so we can study the issues. Everyone else knows it, but we don't know it.

Mrs. Masloff:

My question is, in the negotiations, somewhere along the line, I was told, Mr. Pollock that both sides agreed if they would cut the area down in half, the parking area and then half, is that part of the negotiations too do you know?

Mr. Pollock:

Well, never broken down as to have.

Mrs. Masloff:

Well, I don't mean exactly half, a portion of that property, maybe.

Mr. Pollock:

A significant discussion involved around cutting back the petitioned area for a zone change; they have not come to

the agreement as to which part it is going to be.

Mrs. Masloff:

And the neighbors did not agree to that either?

Mr. Pollock:

No.

Mrs. Masloff:

Well, you know Jack, you said that some of it was virgin territory, some of the testimony that we heard here was that it was a rat infested dump, which is right, you said it was virgin territory?

Mr. Wagner:

Well, if I may respond? I have walked that street hundreds of times in my life, I have never seen a rat and it is simply a wooded area, it's a green area, it was a green area and I can assure you that was a matter of fact, there are deer in the area, well, at least there were deer in the area, but I don't know about it now and there were other wildlife. I know this because I grew up in that area and as a kid use to walk around there and there were deer there then, but I have never saw any rats.

Mr. DePasquale:

Mr. Chairman, I know that my colleagues, Mr. Wagner and Mr. Pollock did a very conscientious job up there and at this time, I am prepared to swing their way, because they certainly convinced me, but there is only one thing that I have to have clear in my mind before I vote on this legislation. Is there room to move those cars on down so Mr. Castriota does not lose any of his cars, yet he doesn't use that top part of the hillside which is the discussion here

now. Can he move those cars those cars on down? Apparently if he can, he is not willing, can you answer that Mark?

Mr. Pollock:

My most recent discussion was at 4:00 p.m. yesterday with Mr. Castriota's attorney and I said the bottom line is that the neighbors will not go along with any use of the upper level and I said I am fairly confident that we can have this package signed if Mr. Castriota would agree to a zone change for only the bottom to levels, will he get enough cars and the attorney's answer was no.

Two things I wanted to respond to. Number one, I am new here, I didn't think that Monday afternoon was the time that we talked about the bills that were coming up the following Wednesday in Committee. I mean I would have been happy to discuss it at our session yesterday, but I don't think that's what the Committee Meetings are for, to discuss bills.

Mr. Chairman:

It was ruled in your favor.

Mr. Pollock:

I know, so Mr. Givens point about if we would have discussed it yesterday, he would have been better off to vote today, I just don't understand. The second point, as far as I am concerned and I will be happy to have Mr. Pellegrini here to confirm this, I think that everybody is treading on very very dangerous ground if they start getting into negotiations and who is being more reasonable and who is being more unreasonable in determining which way he or she will vote because that is totally irrelevant to the bill at hand and you are asking for trouble legally because you are getting very close to contract zoning, you are

allowing your vote to be influenced by the negotiations between private parties that the city was not a party to but merely an impetuous to accomplish a goal. So, the bottom line is number one, any member of this Council could have obtained information from the property owner as to what his position was or his attorney's. Number two, the legislation is as it reads, we do not have the power to amend it, we don't have the power to insert any concession in it; we don't have the power to read into it who should give on it more and who shouldn't. The bill is exactly as it states, we have to vote on it as it is and what the parties talked about between themselves, is totally irrelevant to what this Council does.

Mr. Wagner:

Mr. Chairman, also in response to my colleague Mr. Givens. I don't think a report is appropriate here; both sides have their opinion and it is up to us to decide which opinion is the correct opinion. True they agree on certain items and then they disagree on certain major items and that information is available to any member of Council simply by discussing the issues with both sides. The bill has been in front of this Council for months. I think sufficient time has been granted to obtain whatever information is necessary to vote on the bill and for that reason I suggest that we move forward on the bill; to delay it another week, I think simply is going to solidify the position further on both sides, a position that we have tried to bring the two sides together on, most recently within the last two weeks, we have not been successful. I think the best thing for this bill right now is to vote on it.

Mr. Givens:

Well, I have to beg pardon with my

two colleagues who went out in our behalf and on their own behalf to represent this Council and to come back and report to this Council and now they are saying they are not going to report to this Councilman. I in good faith knowing that all of us have committee here and this was Mark Pollock's Committee and I gave him the grace to go out there and attend those various meetings and everything else hopefully and knowingly that he would come back and brief this Councilman and this Council as to what happened in the negotiations and everything else. I want to be privileged to that information and if I am not privileged to it, how can I cast the vote? I am casting it on a public hearing that I have heard and what I heard in that public hearing, sways me in two different directions and we are hoping for a compromise. And the bottom thing of this is that the individual still can go back out through the courts and legally defend his position. I want to go through them, Mr. Chairman, the 17 major points of negotiations. If you want to do that today, if you want me to read that over and ask questions to my two colleagues within the next week, I will be happy to do that, or we can do it right here today and you might as well roll up your sleeves because I have a lot of questions to ask and we will be here for a couple of hours and I would ask just for time sake that this thing be held for that week, so I can have that opportunity to sit down with my colleagues and I am sure they will brief me on exactly what happened and let me decide. Their decisions has been made, my decision has not. but I would like to hear what they had to say on both sides of the issue; I would like to talk to the community group and I would like to go back out there and get some input from them, that's all that I am asking.

Mr. Chairman:

Mark, in defense of Mr. Givens

position, this Council has granted I think two months delay, so you and Mr. Wagner could try and work out a compromise between Mr. Castriota and the community. I think as Chairman, it's appropriate to give the rest of this Council another week so that we can study the points.

Mr. Pollock:

I will be happy to let you study the points, I just want you to consider several things: Number one, I thought I took a considerable amount of time, I mean I am not prone to giving long speeches, but I think I gave a good report as to what the history has been and I will be happy to answer any questions. Number two, I think you guys are treading on very dangerous ground if you start getting into individual provisions and who gave what and who was more reasonable. I think before any of you do that, you better check with the Solicitor because that is not before us, that is an agreement between parties; if you look at it, that was going to be a private agreement. The bill as it reads. Now if Mr. St. John is here and he would like to give us an opinion on that or if Mr. Pellelgrini is here, you guys are looking at serious problems, okay, you are looking at contract zoning, you are looking at the Sunshine Law, you are looking at violating our Charter and everything else; those agreement and negotiations between the parties are totally irrelevant to bill no. 315.

Mr. Givens:

Then what were you doing for the last several months?

Mr. Pollock:

I was trying to get two parties who were in a dispute to come to an agreement between themselves—

Mr. Chairman:

—Trying to negotiate a settlement, an agreement.

Mr. Pollock:

Right, and the city was not a party to that agreement. If they don't agree, then they are in the same place as if they never had a discussion. What they talked about is between themselves. The bill was not changed by one word, by what they tried to accomplish and they didn't succeed and it's the same as if there was no attempts at all.

Mr. Chairman:

All Mr. Givens is asking is to be brought up to date on those discussions and negotiations.

Mr. President:

Mark, say that this party would have agreed, both parties, then you would have come in and amended the bill, correct?

Mr. Pollock:

If it needed to be.

Mr. Woods:

Well, it needed to be according to what I just read and so whatever you negotiated or discussed, is a part, anyone of us here can make a motion to amend this legislation so therefore what you and Jack discussed with Mr. Castriota and the community group is relevant maybe to some of us and maybe we want to make an amendment to this bill.

Mr. Pollock:

Are you done? The only way we can amend this bill is the size of the

zone; we don't have any power to put in any provision concerning allumination, concerning trees, concerning greenway, concerning fences, that is beyond our power, so that's what the negotiations concern and if they come to an agreement on those items, then it is beyond our power.

Mr. Chairman:

But isn't part of this 17 points eliminating the "R-1" top portion of request for rezoning?

Mr. Pollock:

That is the only thing that we have the power to do.

Mr. Chairman:

So it would have to be an amendment which is actually part of these 17 points.

Mr. Pollock:

That is the only power and I said that very clearly at the beginning, the only thing that we can amend is the size of the zone and if the parties can't agree on the size of the zone, then there is nothing we can do.

Mr. Chairman:

Well, our colleague Mr. Givens, made a request to hold it one more week, so we can all have the opportunity to take a look at it, would you consider withdrawing your motion to approve?

Mr. Pollock:

Well, first of all, I cannot withdraw my motion because what I think Mr. Givens wants to accomplish is illegal, so I will not be a party to that. Today is Wednesday, he has until Monday to find

out any information he wants and it's my opinion being an attorney as well as a Council person that it is illegal for us to consider and aren't voting on this bill what the parties tried to negotiate between themselves.

Mr. Chairman:

If they would have came to an agreement, that would have been part of the negotiation because you would have made a motion to amend the bill.

Mr. Pollock:

Maybe not.

Mr. Chairman:

Maybe so.

Mr. Pollock:

But the only way I would have amended it, would be the size of the zone.

Mr. Chairman:

So you will not withdraw your motion to approve?

Mr. Pollock:

No.

Mr. Wagner:

Mr. Chairman, and as indicated by our President yesterday, any dialogue I believe on this topic is healthy here at this table and may I add that any questions that anyone may have, I think here is the proper form for the to clarify any unanswered questions pertaining to what negotiations have gone on, specifically what has been agreed upon or what has not been agreed upon and I am open to answering any of those

questions at this point in time. I may add that the purpose of getting together Mr. Pollock and myself and the action was taken and initiated by ourselves in this situation was simply to bring the two sides together to begin communications. The important part of reaching some type of compromise is simply communication and that's what we were initially hoping to achieve and have achieved that to a certain degree, but the lines of communication have been opened between the parties when infact they were not opened before. A tremendous amount has been achieved, but the important parts of the compromise have not been agreed upon; when I say agreed upon, I mean between the two parties because all we have done is bring the parties together. So in reference to communication, I think it is good if we communicate at a much greater degree about this legislation right now and talk about it to whatever length is necessary to bring about a vote on the bill and I strongly recommend that.

Mr. DePasquale:

Mr. Chairman, in all fairness to Councilman Givens, we have been acting in this manner for several years long before Mark came into Council and I was just wondering, were we acting illegally all those years Mark? We did the very same thing and I am not trying to rebuke, I am just saying this is what we have been doing that I know of.

Mr. Pollock:

I think that before we discontinue discussion, we get the City Solicitor up here because the type of discussions that we are talking about, I think are illegal and I would be happy if Mr. St. Johns is component to testify on it. I think we should call Dante and get him up here.

Mr. Chairman:

Mr. Givens, would you like to take the floor until Mr. Pellegrini gets up here.

Mr. Givens:

I would just like to make one point. The bill was affirmatively recommended to this Council and the individual so stated in his opening statement that he was going to vote no on the bill. If I were to introduce a bill and felt that the Council should vote it down, then I would have put in for a negative recommendation; at that particular time, I would know how the Chairman of that particular committee feels on that particular bill and you can either vote it up or vote it down. And now to go into this and the fact that he would not relinquish and ask one more week for this Council members to be brought up to speed and using the guys of saying we are bordering on illegality if we go into what citizens tried to communicate between one another, I think is all a bunch of horse mess. The legal is illegal, that's the Judicial branch of government, we are the Legislatives and we must try to exert every effort that we can; part of that effort is to try to get some type of a compromise between the parties so we could go forward with this particular bill.

Mr. Chairman:

Let me interrupt you for one minute. Dan, I just have a question for you—I just want to ask one question and then you can have the floor back. I want to clarify Mr. Pollock's position here. Is it proper for members of Council to be brought up to date on negotiations between Mr. Castriota and the community and what those negotiations were?

Mr. Pellegrini:

There is only two questions there. The first question is what do you vote on when you vote on a zone change? And the only thing that you vote on is whether or not the proposed zone is appropriate from a planning perspective, is it in accord with the master plan? Any other information that Council has or may want to receive it, but it should have no relevance as to whether or not you pass the bill, unlike a conditional use. If this were a conditional use and I think that's what Councilman DePasquale was referring to, you can attach 17 conditions to the conditional use, but in a zone change, the only thing that you can do is, is this an appropriate use.

Mr. Chairman:

Yeah, but the collection of information to determine whether Council members feel if it's appropriate use, that's appropriate.

Mr. Pellegrini:

You can do whatever you want to determine whether it's an appropriate use and an appropriate use is to find if—

Mr. Chairman:

—So Mr. Givens has every right to ask questions of all the concession that were made by both sides in determining his vote? Does he have the right to accumulate that information?

Mr. Pellegrini:

The only thing that you are determining is the piece of property that is vacant, or is being used. You have to determine whether the proposed zone and I understand that this is for a parking lot to be zone to "M1". There are many adds of uses in an "M1" zone and what

you are determining is whether or not that "M1" zoning classification, not if a parking lot is appropriate there, but if an "M1" classification is appropriate.

Mr. Chairman:

But the gathering of information is not illegal?

Mr. Pellegrini:

The gathering of information is never illegal, but whether or not—I don't know anything about the concessions, but if the concessions relate to a parking lot, you can always get that information but whether or not they are relevant to the determination is whether you go from one zone to another zone.

Mr. Pollock:

I was the one that asked him here, so let me ask the question. The question is can Council base its vote on the reasonableness or lack of reasonableness of the parties involved in the negotiations between the parties, can that have any bearing on a vote of Council? That's what I am curious about and I think it is illegal.

Mr. Pellegrini:

Ideally if there were 10,000 people in favor of it or 10,000 people against it, it doesn't matter. What you are doing is you are making a judgement of whether or not the new zone is an appropriate zone under the zoning ordinance. When you do a zone, there is no proposed use, don't look at it as a proposed use; it's a vacant piece of land and somebody wants to put all the uses under an "M1" zone. The question is whether or not that zone change is in accord with the master plan and with good planning principles.

If you agree with that then you

should vote in favor of it and if you don't believe in that, you should vote against it. The other information that you gathered, you can gather any information that you want but as to whether it is relevant to the vote, the answer is no.

Mr. Chairman:

Mr. Givens, you still have the floor.

Mr. Givens:

The fact was if these proceedings would be illegal, then I would submit that what happened over at Allegheny General Hospital there and what negotiations were done by a previous Councilman, also the Chairman of this particular committee, then that was illegal too because in fact what we did there, we used that and as Jeep indicated, over the years we have listened and tried to make compromises to back down either the neighborhood groups or the individual who was making the zoning change. And I think Council has been very successful to this and can I ask this Dante?

Mr. Pellegrini:

I didn't say it was illegal. What I am saying is that information is irrelevant to the vote; you can always gather any information that you want, but that information whether or not you should change the zone, is really not relevant to the way you vote, but you can always gather information. What would make this bill illegal is if you attached those 17 different concessions to the zone change; but Council in its legislative capacity can receive any bit of information relevant or irrelevant if it wants.

Mr. Pollock:

The record will show that Mr.

Givens stated I think it is relevant and before voting I want to know who gave what on these 17 points and that is illegal. Dante, he cannot base his vote on who have what on those 17 points. Yes or no?

Mr. Pellegrini:

The answer is yes, but the courts do not interfere with the motives behind legislative votes. The only thing that would make the bill illegal is if you attach the 17 different conditions in it. What is relevant or irrelevant, I don't determine and that's for the body to decide, but as a practical matter, the only thing that Council should determine is whether or not this is appropriate as an "M1" zone, whether if a parking lot is going to be there or there is going to be an industrial plant or whatever is permitted in an "M1" zone. The only thing that is before Council is the change of the zone from the "R1" to "M1" and there are a number of other uses in an "M1" zone, so when you change it from "S" to "R1", you are not saying I am allowing the change from single family residential and some other types. You are saying I am allowing any "M2" use and that's why it is important to define that issue that way, so if somebody at a later date would want to come in and put in whatever, that would be appropriate and we could not add any conditions to that. The issue isn't whether or not there is a parking lot or not, it may be nice information, but that is not what is really before Council. That's not the vote that should be before Council.

Mr. Givens:

I thank you Dante for clearing up some of the things. If we have a committee system here as Mark has gone out and very very and I appreciate that. I have a meeting right after this meeting on the Bloomfield Bridge and there are

people in this audience here, that is for Dick Givens or any other Councilman who wants to stay here and listen to what is happening in that particular neighborhood, why? Because it effects my particular committee, Department of Public Works and as I do my work and my colleagues here bring various things of my committee to a ten point to a good resolve and any information to them and I am glad that at least the courts think that how we make our decision is fine. I didn't mean nor was it ever inserted here that we would attach 17 different commitments that either the community group made or the dealership made out there, that was not my point; but that does have a great influence. Apparently these two individuals have been out there listening for a number of weeks and all I want is for them to come back and report on how it went. Let me as an elected official make my independent decision as they have apparently made their independent decision. I can't make that decision here today unless we go into a volume of work and as a result I ask the Chairman if he would please give one week for this Councilman to talk to the neighborhood group and to talk to the dealership out there to see if possibly maybe this Councilman or six or seven other Councilmen might be able to get some movement in here where two Councilmen have not. Just infact what was discussed here today, might tell one party or the other they better lean a little more one way or lean more the other way; so that is why I am asking for one more week and again, I appeal to the Chairman to give other Council members an opportunity to discuss this particular resolution.

Mr. Chairman:

There is a motion on the floor, Mr. Pollock.

Mr. Pollock:

I think Dante, wants to say something.

Mr. Pellegrini:

To obtain information, there is nothing illegal about obtaining information.

Mr. Givens:

I mean I am being denied information and if that is the case then, never again will this Councilman or can I put any faith in any Councilman here in any of their committees; that means I am going to have to be able to orchestrate nine different committees here at one time and do everything and this Councilman can't do it, I know I can't do it. I want each Councilman to work on their various committees, but I also want them to be able to come back here and brief the body and if we can't go into what happened, what dialogue happened, then I denied a process of hearing from both issues, other than the public hearing and if that is all I am going to go on, the public hearing then I will discuss those particular issues here if I have to.

Mr. President:

If I may Mr. Chairman? Mark it has always been customary courtesy since I have been for the five years that when one Councilmember ask to have something held for a week or whatever, we have always went along with it and I am as President of Council asking you if you would go along with Mr. Givens and change your motion?

Mr. Pollock:

Ben, since you are saying that is is a custom and you put on the record that

if one Councilman asks that a bill be held that it gets held and you have said that, I will be happy to withdraw my motion.

Mr. President:

Yes, infact Mr. DePasquale has said the something.

Mr. Pollock:

Fine so that means anyone of us can get a bill held by requesting it?

Mr. Chairman:

Yes.

Mr. Pollock:

I will withdraw my motion.

Mr. DePasquale:

I will withdraw my second.

Mr. Wagner:

Mr. President, I disagree with that. I have seen bills in front of this Council where it has not happened and unless it is a rule or it is legislation in this city, then it can't happen all the time.

Mr. President:

It has always been that way since I have been here and any time any of my colleagues have ever asked to hold a bill or recommit a bill, I went in favor of that.

Mr. Wagner:

You personally may have, you are right--

Mr. President:

—Council has.

Mr. Wagner:

I would disagree with that. I have seen situations where it has not happened on this Council and unless it is a uniform policy and I think the only way it could be a uniform policy is it would have to be a rule.

Mr. President:

I think it is Jack. I have never seen anyone be denied of holding or recommitting a bill. I have seen colleagues vote against it, but the majority of Council has always done it to my knowledge. I have never seen us turn it down.

Mr. Wagner:

Well, in regard to this piece of legislation I am still open for discussion to answer any questions by my colleague Mr. Givens and you have indicated you have been denied information, you have been denied the opportunity to meet with Mr. Castriota, to meet with the neighbors. The neighbors have been here on numerous times, they have been in my office on numerous times. I have not been denied that opportunity. I have met with Castriota several times, I have met with the neighbors several times and I don't know how long we have to put off obtaining information, the opportunity is there today it has been there for months to obtain information and the question is do we want it, will we go after it? Mr. Pollock is very knowledgeable, it is his committee, he is prepared right now to answer any question put forth on this piece of legislation and if he can't answer the question, then I can answer the question because we have talked about every piece of information related

with our Planning Commission, we have discussed it with anyone and everyone, lawyers included and if there is an unanswered questions, please put the question on the table right now.

Mr. Chairman:

Mr. Pollock said he was willing to withdraw his motion to approve and Mr. DePasquale withdrew his second. Would you like to make a motion to hold for one week Mr. Givens?

Mr. Givens:

Motion to hold for one week.

Mrs. Masloff:

Second the motion.

WHICH MOTION PREVAILED.

Mr. Pollock:

Before we vote, I just want the Solicitor to answer a question. Does the Sunshine Law permit us to have discussion back there about this bill of do we have to have all discussions at this table?

Mr. Pellegrini:

The answer is as long as you are not going to decide how to vote on the bill, the answer is you can have discussion. Once you reach a phase on how you are going to vote—if it is information gathering, you are allowed to gather information; but if it is a discussion on I am going to vote this way and that way, no, you can't do it.

(END OF REMARKS)

**(COUNCIL'S COMMENTS ON BILL NO.
315 - WEDNESDAY, 6/11/86)**

Mr. Pollock:

Discussion. I submitted to all of my colleagues the amended zone which--

Mr. Perry:

I haven't seen it.

Mr. Pollock:

I'm sorry but all my colleagues received it, I believe. So when we vote on it on Monday, I would like the new zone to be in the final form. Mr. Brown drafted the legislation and I'll make sure you get that today, Mike (Perry).

What we're doing is, the "R-1" zone that Mr. Castriota originally petitioned to partially change will be untouched. There will be no change to any "R-1" zone. The "S" zone which Mr. Castriota originally requested to be partially rezoned to "M-2", a small portion of it will be rezoned "M-2" and in fact part of the "S" zone will now be rezoned to an "R-1" area, so there will be greater "R-1" zone after this bill is approved. So we'll have more "R-1" and the "M-2" zone which he requested will be a smaller "M-2" zone that he will be getting if the amended bill is passed.

Mrs. Masloff:

And that area that he paved, will that all be restored?

Mr. Pollock:

That will be re-seeded. In fact, the latest addition that he has agreed to do is that he will be planting trees on the area that was paved. It will be unpaved, re-seeded and twenty trees will be planted at various sites around it. The

neighbors and Mr. Castriota have worked out an agreement between themselves and I want to make this very clear for the record that the City is not a party to this agreement; it is not a party to any agreement--nothing that this City Council will do in so far as the zone change, the amended zone change which is before us is dependent upon any agreements or 5 covenants or conditions, our vote will be only upon the legislation as amended that will be before us. I can state because obviously I have knowledge of it, that the parties have come to an agreement and as such I am comfortable with my vote being an affirmative vote.

Michelle Madoff:

Mr. Pollock, since you and I believe Mr. Wagner were very active and I guess other people--I've gone by it and I must confess that I've driven around and walked it but I have not talked to Mr. Castriota except to chastise him for threatening people. First of all, how many trees came down? You're putting up twenty, how many came down?

Mrs. Masloff:

That's not our business now.

Michelle Masloff:

It's my business, I have to vote on this. How many trees came down now that we're putting twenty back?

The Chair:

I don't think anybody knows, Michelle.

Michelle Madoff:

Approximately.

Audience:

Around 100.

Michelle Madoff:

100 trees came down--whoopie, we're putting back 20. Now we've come up with a cooperative agreement. Why is the community happy now when they were not happy before? My understanding is what they were concerned about is that they lived in a residential area that was not impacted by automobiles near the residential area and they were not subject to be victimized by people trying to get into the cars to rip off the cars and therefore bringing an element of crime that they didn't have before. That was one of their greatest concerns when they came to me initially. Has that problem been resolved? Is there a burglar alarm put on the fence? Is there a guard? Are cars not going to be going up there which was one of the concerns that they had? I have to have that answer before I vote.

Mr. Pollock:

The area which will now be the "M-2" area in which the cars and Mr. Castriota desires to park his cars will be fenced in, protected both from outside and from any youngsters getting in who might want to get in or otherwise have to get in. The area will be re-seeded and all of the cars will be out of sight of any residents; they will be behind a hill and they will be buffered by vegetation and a small hillside that will manmade. It's my understanding that the neighbors are now willing to live with it and Mr. Castriota will be able to get parking space which he needs for his business. Not as many as he originally wanted because the cars will be out of sight of the neighbors and they will be protected from the neighbors by a fence.

Michelle Madoff:

What compensatory if anything has Mr. Castriota offered to the community by way of a community center, a playground, etc., something to compensate them for the havoc he created and the time and energy and the harassment and the pain and suffering that these people had?

I'm not here to give Mr. Pollock a hard time but I'm really addressing what Mr. Wagner said and that is that we want to stop this kind of thing from happening in the future and I think the kind of questions I'm asking are very pertinent so that other people are not going to be another Mr. Castriota.

Mr. Pollock:

I think Michelle's question is very, very astute and I had a post-agenda on this with Mr. Imhoff from the Bureau of Building Inspection and Richard Bruce and I think Jim Brown was there and we discussed this very problem and what she's talking about is a code violator going in and breaking the law, being cited for it and then coming in and asking for the zoning change after being cited for it and suffering no consequence for his or her illegal action. It was the policy of the Bureau of Building Inspection that once a property owner requested a zone change, that the Bureau of Building Inspection would cease all enforcement procedures. They would allow it to continue in violation until such time as the Planning Commission and Council acted on the zone change. My position was, as a result of what the neighbors have told me and is totally right, that it was not the way to go. If someone's violating the law, you get them in compliance with the law first and then they go in for the zone change.

We had a meeting right here, as I

said a post-agenda, with the Superintendent of the Bureau of Building Inspection and he told me that was their policy and I explained to him that this only exacerbates situations so that the neighbors are forced to live in an unhealthy and an uncomfortable situation and their policy is now changed and there will not be any Castriota situations in the future. If someone is violating the zoning code and they petition for a zone change, they have to get their property in compliance first and then they come in and ask for a zone change otherwise they will be cited everyday as a different violation with the right to be fined everyday up to \$1,000, so that there will be no more Castriotas as a result of what these people had to suffer.

Mr. DePasquale:

Mr. Chairman, If I may. We have played this absolutely to death and I don't think we can go any further. Mr. Pollock has done his homework and he brought it up to Council and he's asked for approval and I think we should vote it up or down.

Michelle Madoff:

What kind of built-in controls are there when we have a situation where litters are putting six feet of garbage in the city and nobody is citing them everyday. What kind of protection are these people going to have by just virtually putting on a piece of paper? If he's in violation we will fine him. I want to know who's going to be monitoring this whole contract.

Mr. Pollock:

I gave these people my assurance that I'll be monitoring it and Mr. Wagner who lives right there and goes by there everyday will be monitoring it and I can assure you that Mr. Brown who lives near

there will be monitoring it--the whole world is watching this situation.

The Chair:

Mark, I'm going to need a motion to amend this bill by substituting a new bill.

Mr. Pollock:

So moved.

Michelle Madoff:

Second.

Which motion prevailed.

Mr. Wagner:

In response to my colleague, Michelle Madoff, I think it's a genuine question that she's asking, really what are the people receiving due to all of the emotional trauma that they've gone through, all the time that they've put in and basically what they're receiving is a better product whether or not this legislation would have passed or it would have failed. If we vote on the legislation as it sits or as it sat prior to this amendment and the legislation was voted down--basically they would be left with a lot without cars and the would have been required to see the lot but still right now it's a gravel lot and the chances of them seeding that lot and it growing to any substantial growth within the next couple of years was rather remote. So working out an agreement that has been worked out and it's been extremely difficult agreement to work out, not only does Tony Castriota benefit but the residents benefit and many of your concerns that you mentioned at the public hearing have been addressed in the agreement. For instance, the bond. The bond has been substantially increased from \$25,000 to \$60,000 to make sur that the work is done. Some of the other concerns

pertaining to litter, Mr. Castriota is required in areas where dumping has gone on the property now, as part of this agreement to put up guardrails and to put up barriers to prevent future dumping. But probably the key items involved in the agreement pertain to the rezoning and what has been eliminated as part of their agreement as Councilman Pollock indicated is that there will be no "R-1" property rezoned. As a matter of fact, a portion of the property now zoned "S" will be zoned "R-1" so that there will be even a better barrier provided between Castriota Chevrolet and the residential community. One of the two gates along the street will be eliminated, the other gate will only be in use six months out of the year when the weather is bad. There will be planting and seeding and there will be trees of a certain height and a certain space and a certain type that must be planted as a barrier between the parking lot and the residential community and there will be other amenities granted, no illumination, no loud speakers, no traffic, no parking of used cars, no parking of cars that are being worked on, only new cars in the parking lot. Mr. Castriota is not retaining all of us parking but he is retaining mostly all of it but the key is that it's not within view of the residential community and the property that is not being utilized for parking will be utilized as just open space property.

I think really what's been accomplished here though is that based on the public hearing that occurred two months ago with 50 or so speakers for and 50 or so speakers against and many of those speakers being very emotional, some of which are here today, being very emotional and obviously seeing that there was no communication at the time between the two parties. What really has been accomplished is that both sides have bent and have agreed to communicate and work out an agreement

and I really think that says something for the neighborhood of which there are more people than there are with the automobile dealership but it also says something for Tony Castriota. They both have gone to great lengths in communication to somehow work out an agreement and this agreement is, if I'm not mistaken and Mark can correct me, I think it's the fifth agreement that has been drawn up and we still don't have signatures from both sides and we're very hopeful and very optimistic because basically, verbally, both sides agree and it's just a matter of going through the agreement and making sure that everything is in it and obtaining the proper signatures of the owners of Castriota Chevrolet and all of the neighbors that want to sign the agreement. I personally think that if that happens and I'm very optimistic that it will happen, it is really something of significance that has happened in terms of zoning in this city. Not only are we keeping the neighborhood liveable the way it should have been all the time but we're also retaining a business and retaining employees within that business and as far as I know, as long as I have been on this Council, this is the first such agreement that has been reached at great length and obviously both sides have extended themselves tremendously to accomplish that and I salute both sides for doing that, both Tony Castriota and all of the neighbors that have put hundreds and hundreds of hours into this agreement and I'm very hopeful and very optimistic that in the final hour between now and Monday nothing goes wrong, the signature is on the agreement and this Council can unanimously approve it.

Mr. Givens:

I've indicated on the signatures that I have to have those before me and I thought even today voting on the draft amendment that we would have the

signatures on there and apparantly we do not and definitely by Monday they have to be before this Council so we can view them and make sure to ourselves that everything is in proper. I agree with Mark and the fact that this Council was a part of this agreement. I commend Mark Pollock and Jack Wagner and especially Mark who has been really working out there for long hours and doing something that hasn't been done in this Council to my knowledge because when we have a breakdown in communication between the neighborhood people and a particular businessperson and just being out in that neighborhood as recently as one week ago on a Saturday morning and knowing how far they were apart at that particular time, I have to commend also both the people in the neighborhood for at least being compassionate to a certain degree on a businessperson who has put everything, all of his family money, all of his resources that he worked for into this business and such a time that it should have failed but it did not. In going through the business itself it's probably one of the finest in the City of Pittsburgh I know and probably within Allegheny County. I see now why they are selling a lot of automobiles and the fact that his business was growing by leaps and bounds and the businessmen being caught up in this world really wouldn't pay attention to the law of the City of Pittsburgh and once he was made aware of what was going on, he had to retrench to a certain degree and if it wasn't for the community people speaking out as heavily as they did and organizing as they did, because when I first went down there in April, everything was fine. I thought it was going to be a normal type of legislation. I saw letters from the community groups in favor of it, etc., and I know the people in the community did not realize how extensive it was going to be until they saw the earth moving.

I'm glad and I'm happy that both sides have really bent over backwards to assure that the neighborhood people have what they feel is a reasonable compromise and a businessman is able to continue business within the City of Pittsburgh and employ some 100 people.

Thank you Mr. Chairman.

Mr. Pollock:

Very brief statement. In addition to thanking the residents and the property owner I think two people have to be thanked significantly. The first is an attorney by the name of Tom Solomich. He's one of the top real estate attorneys in the City who devoted a great deal of time to assisting us and assisting the parties in reaching an agreement, providing real estate expertise.

And the second person who above all else has just been an extremely devoted, dedicated public servant is the Zoning Administrator, Jim Brown, who has spent a considerable amount of time out at the property in the rain numerous times, going out and marking off property lines, coming back and amending the property in question and just doing yeoman work and I think we are very fortunate to have him in this position and I just think he's great to work with and I thank him for everything he did.

Mr. Grabowski:

Just a point of clarification. Did we vote on the substitute legislation that Councilman Pollock made?

The Chair:

He made the motion to amend this legislation by substituting the new legislation.

Mr. Grabowski:

We didn't vote on it yet.

The Chair:

No.

Mr. Grabowski:

If we vote on it and if in fact it passes, perhaps the City Clerk or perhaps Mr. Brown can answer this. Does this then have to go back to the Planning Commission. And, I had checked with Mr. Brown before that.

Mr. Brown:

That's correct.

The Chair:

All in favor of Bill No. 315? As amended? Opposed? Unanimous.

(END OF REMARKS)

Mr. Pollock:

I, for one, and I hope all my colleagues agree that this is a very, very happy occasion. I can urge without qualification that all members of Council approve this and that we have a unanimous, 9-0 vote for approval because this afternoon the members of the neighborhood in which the Castriota property resides and the Castriotas themselves met, shook hands, had lunch together, and there is now harmony, happiness, and agreement in Castriotaland.

The agreement was actually very simple. We are changing the name of Stetson Street to Castriota Boulevard and the neighbors are all being given free emissions inspections for the rest of their lives. That's just a joke.

In all seriousness, the parties have been able to come to an agreement after much deliberation and, I think you all have received copies of it but for those who have not, the size of the zone has been decreased, that is being petitioned for a zone change, there is absolutely no residential zone that is being amended, rezoned. In fact, there is more R-1 property which is being obtained as a result of this amended zone change. The area will be completely buffered, there will be no cars visible to any neighbors, there will be no illumination, there will be no loudspeakers, there will be reseeding, there will be trees replanted and additional ones planted in. I think both sides have bent over backwards to make this deal work.

And I have to emphasize repeatedly and emphatically that the City of Pittsburgh is not a party to this agreement. The City of Pittsburgh did nothing more than expedite the process of the parties coming to an agreement and when I say the City of Pittsburgh I mean myself and other members of Council, specifically Jack Wagner and anyone else who was involved in the process, different people who worked for the City of Pittsburgh, Jim Brown, the Zoning Administrator, and so forth. And the parties themselves are the signatories to the agreement. We are not basing our vote on that agreement nor are we depending on the agreement being fulfilled for our zone change vote.

I think that several things must be pointed out as a result of this whole series of actions and this whole months, in fact, over a year-long issue, and that is that we, as electe officials, realize, and hopefully the public will realize, that we do not represent any one interest. We do not represent only the residents of an area of a city, but we also represent the business interest of a city. And as I've said repeatedly and hopefully it will

sink in to those who don't necessarily understand it, that business interests in the City of Pittsburgh do not have the luxury of being out in the suburbs where they have all the land in the world to expand into and that if a business in the City of Pittsburgh is going to grow frequently, if not always, it requires zone changes. Residents have to learn to live with businesses and there has to be give and take; otherwise, businesses will not be able to grow. And of course we want that because its in everyone's best interest.

The other thing that has to be realized from this is that people, no matter how far apart they start, and I can't imagine two sides being further apart than they were on this issue, there were actually gunshots fired, there were tires slashed, windows broken, there were guard dogs and as much animosity as I've ever seen. It was kind of like no man's land up there. We had the public hearing on April 15, as bitter and as hostile a public hearing as ever has been held in this Chambers. Over a time the parties were able to come to an agreement and it just goes to show that the first thing you have to do is to sit down and once we got them to the bargaining table we were able to come to an agreement. I think they all should be congratulated on that, especially the residents because they're the ones that have been living through this.

I think a lot of good has come from this because certain policies that the City had before, specifically the fact that zoning violators were allowed to continue with their violation pending a zone change application, that policy will now be changed, and I think that's for the good of everybody. I've received that assurance from Building Superintendent Paul Imhoff that if a person is in violation of a zoning code, that he or she will be directed to correct that violation

before proceeding with the zone change application.

I want to thank all of my colleagues for permitting Jack and I to work out this agreement and indulging us the time. As you know, today is the last day, in fact, it's the 62nd day since the public hearing but because the 60th and 61st days were on weekends today is the last day we could have voted on it, so we really made it under the wire. So, I appreciate the cooperation and indulgence from my colleagues. I also want to thank, as I did before, Jim Brown, the Zoning Administrator; I want to thank the parties at the Urban Redevelopment Authority, specifically its Solicitor Joe Garrity and its Board Members, Steve Grabowski, my colleague, who is a member of that board who on Thursday had to approve a final part of this agreement; I want to thank Attorney Tom Solomich from the law firm of Rothman, Foreman, Gordon and Groudine who donated significant amounts of his time and his expertise in real estate matters to help the parties come to this agreement. And I really want to express a sincere and great debt of gratitude to the Planning Commission. The Planning Commission was the body that reviewed this matter and rationally, reasonably, and with a great deal of concern and time, made a negative recommendation to our body that this zone change not be approved. And what that did was require us to have seven votes to overturn it instead of five. That requirement was extremely beneficial to us enabling an agreement to come forth. The Planning Commission is to be congratulated for its responsibility and for its dedication to seeing that the right be done and I thank them for that.

Michelle Madoff:

I couldn't agree more with my colleague, Councilman Pollock, that

everybody bent over backwards and that it is better to have a compromise than to have an asphalt lot sitting there after the fact.

But I have a greater concern and the greater concern I'm going to extrapolate from an editorial that appeared, I believe, this weekend in the Press. If Councilmembers vote for Castriota they will be sending a wrong message. I'm going to read excerpts from it. Once completed, the argument then becomes let it be and there also stands a warning to other who might believe they can disobey zoning rules and get a long after the fact pardon.

If it was a matter of my being the seventh vote, if this was a close call and you needed my seventh vote, that just not to have the parties live with the havoc and the destruction that has been caused by Castriota and the burden that would fall upon the City to have to go back to sue Castriota to make them look good on the havoc and damage that they caused, I might be, and I say might, be inclined to go along with the vote. But I think one of us, or perhaps some of us, need to have a protest vote to put other people who may, and this has happened many times in the eight years I've been here, this isn't the first time, that people go in, violate the law, and said, "Well, we've already put the building there; what are you going to do, make us take the building down?" Well, at some point we've got to say no, you cannot violate the law, you cannot threaten people, but particularly, you cannot break the law and then turn around and say, "Well, we broke the law; we'll try to work something out". I think the havoc and the pressure, the consternation, the time that those people had to come down here, what are they getting for it? They're not getting the property as it was before; they're getting it something like what it was before. And I'm not so

sure that anybody that breaks the law and comes to this Council and says let's come to a compromise, is going to live up to the letter of that law, meaning cars could be transported from other directions, will those lights really be off, will there be noise. I don't know that. I don't have a lot of confidence in Mr. Castriota. And I think the people out there have suffered above and beyond the call of duty and I'm going to vote against it.

Mr. Wagner:

Mr. President and members of Council, I would hope that every member of Council would consider this legislation and support it and the reasoning behind it is that obviously it took a lot to get to where we are today. This piece of legislation needs seven votes to pass and there's only nine of us. I'm optimistic that it is going to get seven votes but if for some reason it did not, it would mean that all efforts were in vain, and that would get back to our original public hearing back on April 15 where, at the end of the meeting, we knew that we had three ways to go here; we could vote the original Bill No. 315 up or we could vote it down. Or the third alternative was to amend it. If the bill were voted up, the neighborhood would have lost completely. If the bill would have been voted down, the neighborhood would have won but in reality still would have lost because a piece of land would have been no longer a parking lot and all they would have been required to do is take down the fence and throw some seed on that property. The land had already been changed, the contour of it; the trees had already been removed, and it would have taken decades for it to get back to its original state which was trees and wooded area.

For that reason, the only right alternative was to approach a

compromise agreement. The compromise that you have in front of you, the 28 point agreement which indicates 28 separate items which Castriota Chevrolet must do today and in the future to assure that neighborhood will remain basically as it is, or was, is very important. If for some reason this legislation failed, the neighborhood would lose out. This whole agreement meant a whole lot to the Brookline neighborhood of the City. It meant a whole lot to the Brookline neighborhood because we were talking about one of the major, if not the largest employer in that neighborhood, in Brookline, and also a significant number of residents that live in the neighborhood that were against each other, and we all know that from the public hearing. The agreement is more important than simply the agreement itself. It's important that the largest or near largest employer and the residents of the same community can be compatible, can live together, not only today but also in the future.

So, there are many indirect benefits that are a result of this agreement. We can go back and say that Castriota Chevrolet was wrong from the start and I think anyone and everyone would agree to that. But he has signed an agreement and indicates in this agreement that he will do 28 separate things to improve that property. I think that's a significant improvement, I think that's significant in terms of how far we've come since that public hearing. And obviously every one of those 28 items are what the neighborhood wanted. Castriota Chevrolet did not get a full loaf of bread; he got three-quarters of a loaf of bread, though. But the neighborhood, in the meantime, made out also in the deal.

I'm very happy to see this agreement reached because it has also shown what this legislative body can do

to bring two sides together that were very far apart. In essence, the key was, and Mark referred to it, was communication. I'm very optimistic that even if two sides are far apart, if you can simply get them to sit down and communicate, which they had not done prior to the public hearing to any great significance, you can put on the table what the disagreements are and you can work the disagreements out. That basically is what has been accomplished here. And the amendments are the items of concern that were put on the table. What's really important about that is that we've retained a liveable neighborhood and we've retained a business. There are other instances of zoning that have come in front of this Council, if we could have achieved the same thing, we would have not decreased the value of the neighborhood or would not have lost a business, such as Unertle Optical. I'm not saying anyone was right or wrong in that particular instance but it sure would have been nice if an agreement could have been worked out on that particular rezoning. We would have saved a company in the City. Well, we're doing that here and we're saving the Brookline neighborhood, we're saving the residential area, and we're saving the business community.

So, I would hope that an agreement like this, that we have gone to great lengths to reach, would be voted on affirmatively by this Council and everyone will live happily ever after.

Mr. DePasquale:

Mr. President, I'd just like to commend Councilpersons Wagner and Pollock for the great work they did and I call for the question on the motion.

The Chair:

We have to wait. Ms. Madoff.

Michelle Madoff:

I travel by Castriota almost every day because I eat brunch, breakfast, before I come in, whatever day it is, at Eat 'n Park in Dormont; so I used to go by that place every time. I am 1000 percent convinced that they would not have gone out of business. I am 1000 percent convinced that they would have found an extra lot to store some of the cars. I think they've violated and broken the law and they violated the zoning law and I believe that this City, with it's Law Department, could have gone back to Castriota and said make that land as good as possible within the bounds of this agreement --

Mr. DePasquale:

Mr. Chairman, this is completely out of order at this time. We're ready to vote on this legislation. This was all discussed 1000 times.

The Chair:

I understand that Mr. DePasquale but she's permitted to speak. We'll call the vote after Ms. Madoff is finished.

Michelle Madoff:

Our City Solicitor could have forced the items in this contract to read green and to put in the kind of planting that would be necessary that is in this present contract, not to just take a fence down or put up a fence. We could have taken some legal action. As a matter of fact, I think we had Seldom Seen where we went back and said you violated it and you've got to make good on the property. I think the man died but be that as it may. I think it's a red herring. I think the man violated the law, blatantly violated the law. As a matter of fact, his own attorney, our former employee of the City, Mr. Yatch,

came here and said, "I'm not here to defend him; I'm merely here to take him through the steps and to tell him what he has to do now to make good on the fact that he violated the law."

I think it's wonderful that Mr. Wagner and Mr. Pollock sat down and did what they believe to be correct to try and come up with an agreement that would be palatable and agreeable to both sides. But nevertheless, Mr. Castriota violated the law and anybody else can come and do that and say, "Okay, now we violated the law, come on, let's sit down and come up with an agreement."

For that reason and that reason alone, I cannot support this.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 1004

Report of the Committee on Engineering and Construction for June 11, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 903

A Resolution entitled, "Resolution amending Resolution No. 216, effective March 21, 1985, entitled: 'Providing for a Contract or Contracts for the Rehabilitation of the Davis Avenue Bridge, including necessary work on private property, and providing for the costs thereof,' by increasing the total project allocation by \$374,000.00."

Which was read.

Mr. Givens:

On Bill 903, I received a letter on June 11 which was last Wednesday from Paul McDermott kind of summarizing, this is on the Davis Avenue Bridge, kind of summarizing what has happened out there in the Public Safety issues that were raised during that particular public hearing. Residents requested increased police surveillance, enforcement of the park legal closing time and posting of the reduce speed sign and protective guardrails preventing erratic vehicles from running onto the sidewalks and front lawns in the Davis Avenue area.

Also at public hearing was great concern of the people who previously used the Davis Avenue Bridge and now that they had to drive all the way around Riverview Park one way or the other. It

appears that all the Department of Public Works, that of the Planning Department, the Engineering Department, and especially that of our Public Safety, has been addressed by each of the various departments and they indicated that they will listen very earnestly to the residents out there of their great concerns and the fact that they're going to meet all the safety issues on that particular bridge. And I'm happy to report that my concerns in this particular area have been met and that all Councilmembers should be able to vote affirmatively on this particular bill as we did Wednesday, pending this particular letter and agreement with the people from the Administration.

And to think that we had some \$300,000 that was originally appropriated for this bridge and we're now up to \$600,000 to rehabilitate it, it will give something to the people who have to drive through our City streets and our parkways. And this is not the only one. If you think of all our major parks in the City of Pittsburgh, Schenley Park, Highland Park, Frick Park, all of them generally have major road systems going right through them. We want our people to drive through them but we want those parks also to close down at the appropriate hours and the people not linger in there and use alcoholic beverages and then come out of there at all hours of the night and endanger the citizens who live abutting to those park areas.

That's my report, Mr. President, and there are several letters that I'd like to add to the Record if I might.

The Chair:

Thank you, Mr. Givens.

(LETTERS REQUESTED BY MR. GIVENS)

Department of Engineering and Construction
Paul J. McDermott, P.E.
Director

June 11, 1986

President and Members of Council
City of Pittsburgh

RE: Council bill No. 903
Rehab. of Davis Avenue Bridge
DEC Project No. 84242

Dear Members of Council:

During the Standing Committee Meeting of Wednesday, June 4, 1986, Council saw fit to hold the subject Bill because reports previously requested by Councilman Givens concerning the impact on the Community brought about by the reopening of the Bridge had not been submitted. These reports were to have addressed commitments on the part of several departments, which commitments would alleviate the residents concerns regarding public safety. These concerns were expressed by several area residents at the Public Hearing of April 22, 1986. The problems that were discussed at the Public Hearing deal with, generally speaking, public safety issues. It was stated by the residents at the Hearing that people congregating in Riverview Park do so long after the Park closing time, consuming alcohol and other substances. They leave the Park during the early hours of the morning, speeding across the Bridge and through the Community. The residents requested police surveillance, enforcement of the Park legal closing time, posting of reduced speed signs, and protective guardrails preventing errant vehicles from running onto the sidewalks and front lawns of Davis Avenue.

We have reviewed these problems with the Public Safety Department and received assurance that the Bureau of Police will do everything in its power to deal with the aforementioned problems. They will police the Park at night, hastening the departure of or otherwise removing those individuals loitering in the Park beyond the legal closing time. They will also carry out improved surveillance of the area leading to the Davis Avenue Bridge in an effort to rid the Community of fears and danger generated by the undesirable elements that frequent the Park at night.

Through the Department of Public Works we will post reduced speed and other warning signs in the area and insist on strict enforcement of the same by the Police Bureau. With the help of the Department of Public Works we will also install the necessary guardrails to reduce the risk of speeding vehicles running onto the sidewalks and front lawns. In the past there has been, the residents tell us, considerable property damage caused by vehicles out of control driven by drunken drivers.

It is our understanding that Parks and Recreation Director, Louise R. Brown, has submitted a report pledging her commitment to curb problems in the Park.

It is imperative that we move ahead with the rehabilitation of the Bridge as soon as possible so that the work may be completed during this construction season. We sincerely hope that this communication will alleviate any concerns that Councilmembers have regarding the wishes of the area residents and the safety of the Community.

Your favorable consideration of Council Bill No. 903 is hereby requested.

Very truly yours,

Paul J. McDermott, P.E.
Director

PJM:FR:dao

cc: Louise Brown
Glenn Cannon
Louis Gaetano
John Norton
Fred Reginella
File

Also,

Department of Parks and Recreation
Louise R. Brown
Director

June 4, 1986

Councilman Richard Givens
City Council
City of Pittsburgh

Dear Councilman Givens:

The Department of Parks and Recreation supports the reopening of the Davis Avenue Bridge.

The Bridge is important for access to the Park for visitors, maintenance staff, and public safety personnel. Since another entrance to the Park, Valley Refuge, is currently closed due to a slide, it makes the Davis Avenue Bridge even more important.

We regret any inconvenience this may cause residents of Davis Avenue, but we feel it is important for the interest of the Park.

Very truly yours,

Louise R. Brown
Director

LRB:lk

(END OF LETTERS)

Also,

Bill No. 905

A Resolution entitled, "Resolution amending Resolution No. 465, effective May 21, 1985, entitled, 'Providing for a Contract or Contracts, or use of existing Contracts, for renovations of various playgrounds, including but not limited to the following sites: Enright, Osceola, Springgarden and Alton; and providing for the payment of the cost thereof,' by decreasing the total allocation by \$23,000.00."

Which was read.

Also,

Bill No. 906

A Resolution entitled, "Resolution further amending Resolution No. 1150, effective January 1, 1985, as amended, entitled: 'Resolution adopting and approving the 1985 Capital Budget and 1985 Community Development Block Grant Program; and approving the 1985 through 1990 Capital Improvement Program,' by increasing two line items, transferring funds to another Code Account and adjusting the Summary Totals."

Which was read.

Also,

Bill No. 907

A Resolution entitled, "Resolution providing for a Contract or Contracts for the Reconstruction of Grant Street, Phase 2, from Sixth Avenue to Fourth Avenue, including sewer reconstruction,

waterline reconstruction, necessary work on private property and other work incidental thereto; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 1005 Resolution that the appointment by the Mayor of Eugene Dotter of 2068 Palm Avenue, Pittsburgh, Pennsylvania 15235, be and the same is hereby approved and confirmed as a member of the Board of Code Review for a term to expire March, 1989.

Which was read, received and filed.

Michelle Madoff:

We don't vote on that, is that correct?

The Chair:

No, not on these appointments.

Is there a motion to approve?

Mrs. Masloff:

So moved.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Michelle Madoff:

Discussion. Haven't we always had the person here on the Board of Code Review?

The Chair:

No. We had this argument once before and it was when Mr. Grabowski was appointed to the URA. The Mayor has the exclusive right to appoint and we receive and file.

The Chair presents

No. 1007 WHEREAS, the distinguished public career of Louis Mason, Jr. is being permanently honored by the Housing Authority of the City of Pittsburgh with the renaming of the Addison Terrace High-Rise in the Hill District to the "Louis Mason, Jr. Addison High-Rise;" and

BECAUSE, Louis Mason, Jr., before his death in 1984, led an outstanding life of public service in Pittsburgh for over thirty (30) years, including ten (10) years on City Council, serving as the first black President for the six (6) years prior

to his retirement in March of 1977; and

SINCE, the public career of Louis Mason, Jr. was always distinguished by his eloquence in speech, his knowledge of issues, and his compassion for the disadvantaged, whether in elective office or community service with such groups as the Urban League, the NAACP, and the Pittsburgh Commission on Human Relations;

AND, a man of this stature, who led a life of excellence intellectually, professionally, and on behalf of his community, deserves a lasting memorial not only to honor his accomplishments but also to serve as a visible example for the young people of our city.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh, do hereby applaud the Housing Authority for renaming the Addison Terrace High-Rise in honor of Louis Mason, Jr. and join with the Hill District community in celebrating this important event.

Mr. O'Malley moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

The Chair presents

No. 1008 WHEREAS, the Croatian National Hall, "Javor," is holding a testimonial dinner for Frank J. Pastorkovic on Saturday, June 21, 1986, to acknowledge his dedication and leadership in solidifying the Croatian people and preserving the Croatian culture; and

BECAUSE, Frank J. Pastorkovic served as President of the Croatian

National Hall from 1968 to 1977 with a flamboyant manner and aggressive style, molding the Pittsburgh "Javor" into the largest and most active Croatian independent group in the Commonwealth of Pennsylvania; and

AS, Frank Pastorkovic has always distinguished himself as an achiever in the noble preservation of Croatian heritage, who was able to rally people to contribute their skills, talents, and time toward successful endeavors.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby honor and commend Frank J. Pastorkovic for his lifelong service and dedication to the Croatian National Hall, "Javor," and for enriching the entire Pittsburgh community by maintaining the Croatian cultural and ethnic traditions.

Mr. O'Malley moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Grabowski presents

No. 1006 WHEREAS, on Tuesday, June 10, 1986, City Council held a public hearing on the development of a Marina/Restaurant Complex in the vicinity of Three Rivers Stadium; and

WHEREAS, the petitioners, Nitro Entertainment, testified that for the past five (5) years they have been negotiating with various City agencies including the Urban Redevelopment Authority, the Stadium Authority, and the City Planning Department for the purchase of the site near the Roberto Clemente Park for development of a Marina/Restaurant Complex; and

WHEREAS, after five (5) years of good faith negotiating while working through various steps of the proposal process and incurring considerable expenses, in addition to using tremendous amounts of time and energy, Nitro Development, a local development group, has not been able to secure the site to begin this exciting new development.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh expresses its interest in the proposal initiated by Nitro Development and urges the URA and the Department of City Planning to: 1) sell the site to Nitro Development for the building of a Marina/Restaurant Complex; 2) find an alternative site for Nitro Development's proposal; or 3) make fair monetary compensation to Nitro Development for the years of good faith negotiating planning, and groundwork.

Mr. Grabowski moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Mr. Pollock:

Mr. President, because of my professional relationship with Nitro Entertainment I'm going to have to abstain on this.

Mr. Grabowski:

One other thing, Mr. President. I have attached in my files here a memo to you, Ben Woods, dated February 9, 1982, and the subject is the North Shore Marina. The memo is from Bob Lurcott, Director of the Planning Department and it outlines the steps which these gentlemen should follow in order to be permitted to operate this marina.

It's based on this memo that I'm submitting this resolution and I would

like it made part of the Record.

The Chair:

You also should send it over along with the resolution to the URA.

(MEMO REQUESTED BY MR. GRABOWSKI)

TO: Councilman Ben Woods
FROM: Bob Lurcott
Planning Director
DATE: 9 February 1982
SUBJECT: North Side Marina

Attached is a listing of approvals that we believe would be required for the use of the North Side riverfront property for a marina.

If you need any more information or would like to discuss it further, let me know.

Attachement

RHL/bb

Proposed Process

It is proposed that the Urban Redevelopment Authority hold the parcel (7 M 100) for Mr. Vignale for one year. If Mr. Vignale can obtain the following approvals listed below within one year, the Urban Redevelopment Authority will sell him the land. If Mr. Vignale does not obtain his required approvals, the hold will be terminated after the first year and no sale will take place.

1. Army Corps of Engineers and the Coast Guard need to approve the proposed marina location in the Ohio River.
2. Since the area is zoned SA, Mr. Vignale is required to obtain a Conditional Use approval for a restaurant and an accessory use

- (marina). This would require the approval of the Planning Commission and City Council.
3. Since the proposed marina and restaurant is located in the floodway, the new Floodway Overlay Zoning would apply, which would require a Conditional Use approval from the Planning Commission and City Council. One of the restrictions of this floodway zoning is that the proposal must also receive a permit from the Pennsylvania Department of Environmental Resources.
 4. Because the proposed restaurant and marina is in the Lower Northside Redevelopment Area of 1965, and because this use does not conform with the Lower Northside Redevelopment Plan, a change in the redevelopment plan would be required, which would need the approval of the Urban Redevelopment Authority, Planning Commission and City Council.

(END OF INSERT)

Michelle Madoff:

I'm just curious. What happens with this now?

The Chair:

It's a wish.

Michelle Madoff:

It isn't a wish because I think he's going to go to litigation, so it will be resolved in the court.

I have just asked my aide to get a letter for me and I will see that all members of Council receive it, or you may already have received a letter that was a follow-up to the post agenda on Wednesday concerning the McArdle

Roadway.

The Chair:

We're still on the other thing.

Michelle Madoff:

I'm sorry, I thought you were through.

Mr. Wagner:

Mr. President and members of Council, just to follow up on Mr. Grabowski, I requested at the public hearing that the Planning Department provide us with information and make it public as to what any individual wishing to put a marina should do and what procedures are necessary to apply and get approval and where in the City that's possible. So, I would simply like us to send them a reminder to provide that information to us.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Michelle Madoff	(Pres't)

AYES 7 NOES none

(MR. POLLOCK AND MR. O'MALLEY
ABSTAINING)

And a majority of the votes of

Council being in the affirmative, the motion was approved.

Michelle Madoff:

On Wednesday there was a post agenda held with reference to McArdle Roadway and basically what came out of the meeting with Mr. McDermott and others that were present was that McArdle Roadway which was closed down for approximately seven years, either all or one lane traffic, is going to need a lot of other work. It appears that monies were not allocated; supposedly we didn't have the money. It doesn't make any sense because when you go back to do the work over again, prices have gone up and the cost becomes even more exorbitant. I have the letter here and I would like to read it to make it much clearer. I think most of my colleagues got a copy of the letter. This is a letter to Mayor Caliguiri from me, subject is McArdle Roadway, Grandview Avenue.

McArdle Roadway is the only direct route to Mount Washington and Grandview Avenue, the Niagara Falls of Pittsburgh. The overlooks are our number one tourist attraction. Certainly our number one attraction should be a number one priority.

Who would believe that over \$3 million was spent on McArdle Roadway and the upheaval for the residents of Mount Washington after seven years is not over. Mr. McDermott claims an acceleration of deterioration of sidewalks and walls became apparent only in the last three years and the dollars were not allocated to correcting this obvious problem. What lunacy!

Almost every major contract with the City shows overruns because of needed extra work. Not making the improvements at the time we were

working on McArdle Roadway is not only unbelievable but also not cost effective.

Too many roads are in need of serious need of repair, many long overdue. But obviously a piecemeal approach is not an effective way to operate and the overlooks on Mount Washington, I repeat, are our number one tourist attraction.

After seven years of restricted traffic for extended times actually shutting down McArdle Roadway, it is inconceivable that all future work would not be undertaken immediately and coordinated so that finally the residents and restaurants of Mount Washington can count on having all work completed in short order.

Mr. McDermott stated that he did not know when funds would be available from the Capital Budget to undertake completion of this dangerous, life-threatening eyesore. There was a boulder rolling down the hill, water constantly running onto the road, the boulder was removed, the street was shut down one way on Saturday, and last winter we had an accident that resulted in the near-fatal problem, somebody was almost killed.

Mr. Blandi, owner of the Le Mont Restaurant along with other business people of the Mount Washington area attended the post agenda and were visibly distressed by the fact that the ordeal is not over. Necessary work that should have been done during the seven year ordeal is going to cause them further grief. We were all dumbfounded to learn at this post agenda that not only will McArdle Roadway again be restricted to one lane from time to time in order to repair and correct multiple problems but that a new waterline is to be installed on Grandview, and that's obviously a needed waterline so we're not

complaining about that, but it's something that certainly if we had done it while the seven years the Roadway was down, those people would not be suffering the problem they're going to be incurring very shortly.

A summary of repairs, as I understand, would be as follows: The regular removal of debris from catch basins and drains to prevent water from freezing on the road in winter and causing severe accidents, that's on McArdle itself; replacing or repairing the McArdle Roadway wall; seeding the hillside with plants to keep the hillside from eroding; the removal of trees on the hillside to help prevent landslides, it appears that the trees are pulling the shale off the actual road; boring samples are to be taken to test the extent of damage caused by road salt; making sure the cement support along the McArdle Roadway for the Monongahela Incline is stable; replacing old waterlines; coordinating overhead utilities such as electric lines underground which are anticipated; and coordinating the replacement of old sewerlines and gaslines. In other words, we could dig up, put the waterline in and find out a month later we need a sewerline or we're going to take the electric lines and start digging up the streets again.

I think that spells it out pretty much as to what is needed and I've asked that we have a response as soon as possible.

I wanted to share with Council that this is a very serious problem. It's the first place people take their guests when they come to the City to look at the City. I don't know that I'll be living there much longer, up on Mount Washington; this is not done for my benefit and I know all the secret roads up, the Goat Trail and Burma Road and the back roads. But somebody coming to

the City doesn't know and that affects the sale of property. There's a lot of property going unsold up on Mount Washington right now.

It's a very serious problem and I don't know how we allow this kind of thing to happen. Something has to give and I don't know who on this Council is going to do anything about it. It falls under Mr. DePasquale's department and I would hope that he would try to coordinate all efforts because the people up there have had more than enough.

Mr. Pollock:

On another matter. I want to congratulate Mr. Jim Roddey and his committee for the stupendous job they've done with the Three Rivers Arts Festival for this year. I was down there Saturday evening around 8:00 and fortunately we had good weather and Downtown Pittsburgh was like high noon on a Tuesday. The streets were packed, the restaurants and taverns were filled. I think the Arts Festival was producing what it was supposed to, what its intent was, and that was to get people Downtown to help the Downtown businesses and to get people to be with their neighbors. They're doing a great job. The Arts Festival this year I think is the best ever and Mr. Roddey and his committee are to be congratulated.

I have a couple other things I want to mention and these might take a while. If any of my colleagues want to leave or have to leave, feel free, you're not going to upset me at all, but there are a couple things I wanted to talk about.

Number one, I think it should be acknowledged that today is day 8 of the firefighters held hostage, as they put it, and I think that the hostage crisis should be acknowledged. And as much as I think

Chief John Leahy is doing a tremendous job and I think he is such a great asset to the City, I think his decision to not permit our firefighters to sit outside the stations in the summer with the heat as it is and with the vast majority of the stations being not air-conditioned is really a misguided decision and I'm urging him to reconsider it. I know that he's going to be meeting with the Firefighters' Union tomorrow but preliminarily to that, I would like to let him know that the sense of Council is such that we urge him to reconsider it. Obviously we don't have the ability to change this, this is an Administrative decision, but I would like to, if we could, put it in the form of a vote that the sense of Council is that Chief Leahy change his decision and permit the firefighters to sit outside.

I've received an incredible number of calls on this issue from neighborhood people who feel that it is desirable to have the firefighters sitting outside, that they like to see them in their neighborhoods, that they like to see them participating in community involvement and so forth. The people in the neighborhoods like the firefighters, they talk to them, they bring their children by when they're taking them for walks and so forth. It's something that is good for the community. I think that possibly Chief Leahy is maybe over reacting to allegations that City employees aren't working; but no one expects firefighters to be putting out fires that aren't there. So, to ask them to sit inside in the heat with closed doors is really a mistake.

Before putting it to a vote which I am making a motion that we do send this message to Chief Leahy, I would urge the residents of the City of Pittsburgh to tie yellow ribbons around a tree until the firefighters are set free and permitted to sit outside.

The Chair:

The motion is not going to be for a resolution; it's a motion for a letter.

Mr. Pollock:

A letter sent by the Council President and signed by members of Council.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. DePasquale:

I just wanted to say to Mark, if I may, Mark, this goes back to when I was at the Asphalt Plant; it's sort of a similar situation. We would continue to get calls that there were people out on the road not doing anything. I would tell them the only thing they can do between now and when the truck gets there is stand around or go hide or whatever. I said we don't expect them to play jacks or jump rope. When the truck comes we expect them to empty the truck. It's about the same with Fire; when there's no fire what are they supposed to do, twiddle their thumbs? They can sit on a bench and who are they hurting? They're on the premises, they're ready for the fire; if the bells ring they're ready to go. It's sort of asinine that they would ask these guys to go inside. Like you say, most of those places in the summer aren't even air-conditioned.

Mr. Pollock:

On another subject, and again, this is going to take a few minutes and I appreciate my colleagues indulging me. This is something that I feel very, very strongly about. I can't imagine anything I feel stronger about. And again, if any of my colleagues have to leave, it's totally understandable.

I've received several calls about this because I myself did not pick it up. Everyone in the City who has cable television receives without cost and without solicitation or invitation a publication called Cabletime. As I said, I didn't pick up this month's issue, I just throw it out when I receive it, but I received calls about the June, 1986 issue of Cabletime. In it is a document or a letter entitled, "Publisher's Letter" which is an editorial by the publisher of Cabletime magazine which, by the way, is a publication of TCI which is the company that has the cable contract for the City of Pittsburgh. I'd like to read this letter to you.

"A No-Return Policy For Scum"
Can't tell you I enjoy this topic, but from time to time it needs to be revisited. Has our society become hide-bound by an over-commitment to compassion?

Don't know about you, but I'm fairly jaded by the incessant reports of atrocities being committed upon innocent people by repeat offenders. You hear of many who bar themselves in their homes, who fear to walk on the streets of their neighborhoods at night. You probably know people who live this way.

Indeed, just recently, on the streets of our nation's capital - very close to the White House - someone I know was attacked by a young man who had already been twice convicted for severely beating one person and for brutally raping another. This man has actually confessed to beating someone "just to watch her squirm". And, unbelievably, this man was let out on the streets to continue his rape and pillage. The excuse given for his release from prison was the usual one - the unfortunate (but valid) lament by prison officials that there's no room to humanely keep all serious offenders in

their cramped facilities. So this man, like many other savage criminals, was set free from prison.

I am tired of all the platitudes by liberals who champion an argument for not executing those infidels and scum who crassly violate the most sacred norms of a peaceful society. I find the logic they use too distorted, too thin, and too insensitive to the victims of these monsters.

As a society, we bend over backwards to provide due process, generously protecting the rights of all individuals including accused criminals. And I still believe all this due process, while frustrating, costly, and time consuming, is demonstrative of what a fair and enlightened lot we are. But after a person has been convicted of a heinous crime, I find it hard to justify any further support or compassion.

We should have the resolve to escort this kind of criminal directly from the courtroom to the Hereafter. Do not pass go, do not go to jail. This is what we must do to protect ourselves, and deter crime. It's a no-return policy. The message to all offenders: You play, you pay. No exceptions.

Peter Barton,
Publisher"

As I said, this comes into all of our homes uninvited so I wrote Mr. Peter Barton, the Publisher, a letter which I would like to read.

"Dear Mr. Barton:

I am writing in response to your Publisher's Letter entitled, "A No Return Policy For Scum" which appeared in the June, 1986 Cabletime Magazine.

Frankly, I am curious as to why you

would deem this the appropriate forum for your Neanderthal ramblings. Possibly you felt this Rambo-like eruption would be enjoyable summer reading for your subscribers.

Whatever your logic, I must take strong exception to your viewpoint. Your opinion that due process is "frustrating, costly, and time consuming" is especially discomfoting. It is obvious that neither you nor any member of your family has ever been subjected to a mistaken arrest. Surely if any of you had, you would not find due process to be "frustrating and time consuming".

We, the residents of the United States, are the most fortunate people in the world. Our Constitution and Bill of Rights are two of the most brilliantly drafted documents in the history of civilization. These guarantees along with an independent judiciary are the greatest protection available and known to man. For you to castigate their use is a grave disservice, at the least, and is more likely a serious violation of whatever responsibility exists for you as a publisher.

Your advocacy of the death penalty is clearly your right. But your suggestion that criminals go "directly from the court room to the Hereafter" is frightening. The annals of criminal jurisprudence are filled with instances of witness recantations and mistaken convictions. Your policy, Heaven forbid it should be instituted, would provide for none of that. The instances of innocent parties being executed by the State (an event which already occurs alarmingly too frequently) would occur on a regular basis. I, for one, abhor the thought of being a party to the killing of another human being on any terms, but the thought of my state killing an innocent individual is too gruesome and horrible to consider.

Finally, I find your outlook incredibly harsh. Most reasonable, thinking individuals who are advocates of the death penalty are so reluctantly and do not go out seeking victims of the gravest punishment under the law. Obviously, you cannot be included in that class of persons.

I only hope that in the future when you take advantage of your opportunity to print a "Publisher's Letter" that you will be more circumspect and remember that yours is a family magazine going into subscribers' homes without prior approval or invitation.

Yours very truly,

Mark. H. Pollock"

I received today a copy of a letter that another citizen of our City sent to Mr. Barton. It's a very short one and I think it should be read as well.

"Dear Mr. Barton:

Regarding your June, 1986 "Publisher's Letter" in Cabletime Magazine advocating the abrogation of constitutional rights of accused criminals and the immediate death of those convicted of crime, you needn't wait to see your "ideal" system of justice put into effect, it already exists in a number of totalitarian countries, e.g., Iran and Libya. (It also existed in fascist countries like Nazi Germany.)

Perhaps you would feel safer from criminals if you moved your publishing operation to Libya. Of course, you would have one small problem. If you continued to publish your letters critical of the government in a state with a totalitarian justice system such as the one you idealize, you will soon become an accused criminal yourself — without any constitutional rights. And after you

are quickly convicted without due process or a lawyer, etc., you will quickly be put to death. Oops! Well, what's the death of one silly publisher if it means safer streets -- right?

Sincerely yours,

John M. Burkoff
Professor of Law
University of Pittsburgh"

I bring this to the attention of my colleagues and the viewing public and the citizens of Pittsburgh only because it was brought to my attention by citizens of the City and, more significantly, because this document went into the homes of every cable subscriber and I urge the publisher of this magazine to consider more carefully that his documents and his letters and editorials are being read by citizens across this City, many of whom are not as sophisticated as others and might take his ramblings to be those of a rational, intelligent, thinking person. And I would ask my colleagues to consider this as well, not taking any action but just to consider what I wrote. Thank you.

Mrs. Masloff moved to approve the Minutes of Monday, May 5, 1986, Monday, May 12, 1986, Monday, May 19, 1986, and Tuesday, May 27, 1986.

Mr. O'Malley seconded the motion.

Which motion prevailed.

And on the motion of **Mr. DePasquale**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

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Monday, June 23, 1986

No. 25

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, June 23, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

We have a few resolutions to give out before the meeting starts.

I'd like to ask Carl Kohlman to

come up here please and bring your exchange ballplayers with you and your whole delegation.

As everybody knows, Carl puts on probably the best basketball league in the country and we have some children here from Wales, and a police officer from Wales, Mr. Peter Morris.

The Chair presents

No. 1053 WHEREAS, teenagers Bernadette Gillian Iturbe and Michael Andrew Hooker are visiting Pittsburgh this summer from their home in Swansea, Wales as part of a student exchange program initiated by the Ozanam Cultural Center; and

WITH, two of our City's young people, Jeff Gaca and Steve Burnett, planning to visit Swansea next year to enjoy Welsh culture, hospitality and the beauty of the land; and

SINCE, this exchange began when a visiting police official from Wales took an interest in the positive programming for disadvantaged children being conducted by the Ozanam Cultural Center, which is funded by the Catholic Diocese of Pittsburgh; and

BECAUSE, of the similarities between Pittsburgh's Ozanam Cultural Center and the community center in Swansea, Wales, Bernadette and Michael will always have a second home here in Pittsburgh.

NOW, THEREFORE, BE IT

RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby welcome teenagers Bernadette Gillian Iturbe and Michael Andrew Hooker to the No. 1 Most Livable City in America and extend our warmest hospitality to these young people so that throughout the month of June they feel at home in Pittsburgh.

Mr. O'Malley moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Kohlman:

I'd like to thank City Council for this resolution and the exchange has gone even better than I thought it would. The kids who are involved have gotten along really tremendously and we hope to make this something that we can continue in the coming years. We don't want it to begin and end with this one exchange. In fact, Mr. Morris who is a policeman from Wales, has some greetings from the county officials in the county where Swansea is located, and the City officials. They would like to not only do this on a cultural basis but to investigate some business and other ties between the two cities because there's such great similarities.

Again, the two people who are here from Wales are really super kids and the kids that have been hosting them in the City here, two of whom at least will go back to Wales next June, have just been as great as they can be. This is Michael Hooker here and Bernadette and this is Patty Johnson who is Judge Johnson's daughter, Steve Burnett and Jeff Gaca. It just couldn't be better.

Often times we get a chance at Ozanam to work with kids who are not

necessarily of this caliber. It's a pleasure to work with kids who are just all around as good as these kids are.

Mr. Morris:

Mr. President, members of Council, we're very honored to be here today to have this opportunity to meet you and to exchange your proclamation for some gifts that have been sent over from Swansea.

In South Wales in particular, our Council has a policy of twinning. For instance, we're twinned with cities in France, Germany and Italy. The Council are currently considering an exchange with a city in Georgia.

Our County of West Morgan has sent greetings to your County Commissioners from our Chairman of our County Council and he has asked me to suggest that perhaps Pittsburgh and Allegheny County could twin with possibly Swansea and West Morgan County. He has asked me to hand these things to you, there's a history of Swansea and some tourist literature which might give you an indication as to the area where we come from, along with some tourist posters, they are. In view of the fact that I'm a police officer, I can't get helmets because these are issued by our central government, but perhaps you would be prepared to accept a helmet plate off of the front from me to you, sir.

I'd also like to say that this exchange came about as a result of the Winston Churchill Memorial Fellowship. Last year I had the opportunity to travel to the United States as a Churchill fellow and in 1965, when Sir Winston Churchill died. The British subscribe 3 million pounds, that's about \$4-1/2 million dollars or thereabouts, to keep the name of Sir Winston alive. Rather

than putting a rather large statue that few people could enjoy in the center of London, for instance, they decided to set up traveling fellowships to give ordinary people a chance to go to foreign countries to broaden their horizons, and this is one of the things that I've been fortunate enough to do. Last year there were 2,249 applicants in my category which was volunteer worker concerned with child aggression; nine fellowships were granted. As I say, I'm privileged to be one of those persons. Last month I was fortunate enough to be presented with the Churchill Medal for the work that I have done by the Royal Highness, the Princess Anne in London.

Thank you.

The Chair:

Thank you very much. I'm sorry we weren't as well prepared as you are with these fine gifts, but I guarantee you that when our two children go to Wales next year they will do likewise. Thank you all very much.

Next I'd like to ask Mr. Joe Moses to come forward and address Council. For those of you who don't know, Joe is the Director of Maintenance for Allegheny County.

Mr. Moses:

Thank you, Mr. President and distinguished members of City Council. I would like to take this opportunity to thank the City of Pittsburgh and particularly the City Public Works for their efforts extended to us in the recent floods that hit the northern tier of Allegheny County.

In the past several weeks, there has been certainly some unfortunate comments made towards the City Public Works but I would like to extend my

thoughts and some of the feelings that I had the opportunity to share with these people.

When the floods hit the northern tier of the county, there was a very critical situation. The depth of the water was approximately 18 feet and 3,000 feet in length. The pumps that we had available to us from the military were either in use or inoperable. A phone call was made to Mr. Gaetano and in a matter of an hour, three City pumps were dispatched to the area. Had this certain damn given way, it would have caused a tremendous amount of property damage and certainly, I'm sure some bodily harm.

This is not the first experience I had with the City of Pittsburgh. Back in December of this past year we had a water contaminant problem in East Deer, Brackenridge and West Deer. It was our function to supply some 60,000 citizens of Allegheny County with water and had it not been for the cooperation and the help of the City Public Works, this could not have been accomplished.

In closing I'd like to say one thing. In the annals of Public Works, the City Public Works have written their own chapter and I'm proud to be a part of that. I thank you all very much.

Mr. Gaetano:

The feeling is very mutual for Joe and when Joe Moses in the County Works Department calls us, we're there to help him too. If you would have seen Joe down in the creek with that hardhat on, and he had been out there for weeks, you'll know what Public Works is really all about. He was in that creek, he was down there with the pumps, and I don't think he went home for two or three weeks.

So, Joe, my hat's off to you. Thank you.

Michelle Madoff:

As I've often said, I'd like all of us to be considered as not one dimensional people but more than one dimension. We know that Lou Gaetano as a public servant; I know him as a personal friend and his wife Jan. Many times when I've taken a lot of abuse here I'll call Lou and cry on his shoulder and call his wife and cry on her shoulder. He's been one of my dear friends. We have our disagreements about McArdle occasionally, and other things, but I don't let that interfere with our friendship and I have a special resolution today for Lou.

Michelle Madoff presents

No. 1054 WHEREAS, Lou Gaetano, is being honored for his twenty-eight years of coaching baseball; and,

WHEREAS, Lou Gaetano, starting with Little League and progressing to his current coaching position with the Triple A BA Federation League also serves as Secretary of the Chartiers Valley Baseball Association; and,

WHEREAS, Lou Gaetano has dedicated himself to working with young men, many of whom have been chosen to play professional baseball; and,

BECAUSE, Lou Gaetano's team this season included two men, one selected by the Pirates and one by the St. Louis Cardinals, who will be part of professional baseball farm teams;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby congratulate and commend Lou Gaetano, Director of Public Works, for his outstanding dedication to all the

young men who have benefitted from his coaching and personal interest in them.

Michelle Madoff moved to adopt the resolution.

Mr. Givens seconded the motion.

Which motion prevailed.

Mr. Gaetano:

First, I really accept this for all the people who are like me and give their personal time for amateur baseball that really don't get thanked for it. My coaches, the gentleman on the left here that's running this camera, is one of my coaches along with John Russo and his father.

I've been in this baseball-type of business for quite a few years. Starting from Little League I know the emphasis today is that a lot of people put their money and their support to the Little League. I'm still for Little League but I'm hoping that a lot of the people also put their emphasis on the older adult, the young adult who becomes 18 or 19. This is where it all happens. A lot of these young people, whether its Legion or AAABA which is City-County league or Federation league, they have the opportunities then to go to college that cannot afford it, and they also get their first opportunity of having a Major League scout look at them.

So, once again, I accept this for all the managers who do what I do and I'll continue to do it the rest of my life.

Michelle Madoff:

Before you go, Lou, I have one question. Can you organize a team for women?

Mr. Gaetano:

Anyone can; you can, Michelle. If anyone can do it, you can do it.

Michelle Madoff:

I don't play baseball.

Mr. Givens:

Mr. President, it's interesting to note, all, Michelle, you have to do is come out and join the Council's softball team and it's interesting to note that the Pittsburgh Public Works has one of the best teams in the league and Puddy Sell and some of the people in this room, Jack Wagner, etc., and I go out and cheer from the sidelines every once in a while, and we have some good fun.

But, Lou, on the serious side, I want to congratulate you for all your work. I've been very aware of this and I'm glad that Michelle has recognized this particular thing and has put it in. As the Chairman of the Department of Public Works, this is what epitomizes, I feel, the type of people that we have in City government today, both on the elected side and the Administration side. You're just not a Director of Public Works, you do many things with charity in mind, with your own Department of Public Works in conjunction with the Mayor of the City of Pittsburgh and some of the people who work in that Department have other endeavors into the sports arenas, etc., that I'm aware of and that's what is very beneficial not only to the City of Pittsburgh but to all its residents and what really makes Pittsburgh the most liveable city. Thank you.

Mr. Gaetano:

Just one other thing, being up here both in my profession and being thanked

through Joe Moses and Council and then through the rest of my profession which is baseball, I don't think this has ever happened to anyone in their life. Thank you.

The Chair:

Thank you and Joe, a special thanks from all of us.

The Chair presents

No. 1052 WHEREAS, on Sunday, June 22, 1986, President Nicholas A. Sansotta is being honored for his twenty-four (24) years of leadership and service with the Teamsters, Local 249; and,

SINCE Nick Sansotta, current President of Teamsters, Local 249, has served in various elective and appointive offices within the union, beginning as Union Steward in the early 1950's, Delegate to the Teamsters National Convention in 1957 and 1961, Business Agent of Teamsters Local 249 for twelve (12) years from 1961 to 1972, and Vice President of Local 249 for six (6) years from 1973 to 1978, in addition to being a Trustee of Joint Council 40 and a Director of the Pennsylvania State Conference of Teamsters; and,

BECAUSE, Nick's life is full of outstanding personal accomplishments including holding the Pennsylvania AAU Heavyweight Boxing Championship, before serving in the infantry during World War II, where he was awarded two (2) Purple Hearts and a Bronze Star for Valor, and performing charitable work for Boys Town of Italy, the Multiple Sclerosis Society, and the United Way; and,

WHEREAS, from Nick's first job driving trucks for Canada Dry Company to his current post as President of Local 249, he has developed the reputation as

an honest and fair individual, a good listener, and a man of his word, who is comfortable with people from all walks of life;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby congratulate and commend Nicholas A. Sansotta on his outstanding career with the Teamsters, his distinguished personal accomplishments, and his strong concern for the members of his labor organization and the community at large.

Mr. O'Malley moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

The Chair:

That resolution was given out last night and that's why we had prior approval.

Mr. DePasquale:

Nick's not here but let's give him a hand anyway.

Mr. Givens:

Mr. President, if I might, I'd just like to say a few words on behalf of Nick. I think several of the Councilpeople attended there last night but not only the Councilpeople, you saw the outpouring of people from the Pittsburgh and surrounding communities that came to Nick's testimonial. When you see a person that's been a heavy-weight champ, the heavy-weight champ of our local area, the AAU and the Pacific Theater during World War II which meant to me that that was when he was in his prime of life, had he been

in a normal situation he might have been champion at one particular time. But to shake that man's hand was to give dignity because if he just puts on you with a tight little slap you'd probably go flying across the room. He hand must weight 20 pounds. But Nick has that great power that he has demonstrated in his youth but he has carried over with the people that he has worked with and what was indicated last night was the heart that this man has worked with and that was the last resolve there. He can work with all kinds of people but he does that with a loving heart. And the cross-section of people who came out to that affair last night at his testimonial was one that I think all of us have to tip a hat. He's just not the President of Local 249; his reach into the community and into the labor movement goes much further than that and I am very proud to have a man of this type to be recognized in this resolution and that we had our President of Council who served at the dias last night to give comment and to present this on behalf of all Council. I was very proud to be there last night and to honor Nick and his wonderful family.

The Chair:

Thank you, Mr. Givens.

Mr. DePasquale presented

No. 1009 Resolution amending Res. No. 211, effective March 21, 1985, entitled: "Providing for an Agreement or Agreements with Mackin Engineering Company (Italo V. Mackin, President) for Construction Inspection Services in connection with the Bloomfield Bridge Replacement - Phase IV; and providing for the payment of the cost thereof," by providing for a Supplemental Agreement or Agreements and by increasing the total project allocation from \$157,000.00 to \$202,000.00, chargeable to and payable from the Bloomfield Bridge

Trust Fund.

Which was read and referred to the Committee on Engineering and Construction.

Mr. DePasquale moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 1010 Resolution providing for the issuance of a warrant in favor of Carl J. Bonidie, Inc. (Carl J. Bonidie, President), in the amount of \$425.00 in payment of Extra Work, being in addition to the original contract price of \$48,375.00 on Controller's Contract No. 27219, furnished for the benefit of the City in connection with the Rehabilitation of Fire Stations No. 16, 36, and 7, payable from Code Account EC 86-67. This Extra Work consists of the installation of a 10" SCH 40 flue pipe at the chimney of No. 16 Fire Station. (PRIOR APPROVAL GRANTED)

Also,

No. 1011 Resolution providing for the issuance of a warrant in favor of Sargent Electric Company (Ralph D. Vryenhoek, President) in the amount of \$2,250.00 in payment of Extra Work, being in addition to the original contract price of \$81,632.00 on Controller's Contract No. 27720, furnished for the benefit of the City in connection with the Building Electrical Contractor at the Pittsburgh Zoo - Phase 4.1: Plaza, payable from Code Account PR 81-02. This Extra Work consists of the following

items: 1. Installation of a weatherproof surface-mounted receptacle, additional circuit breaker and outlet for a popcorn machine. 2. Installation of additional wiring. (PRIOR APPROVAL GRANTED)

Also,

No. 1012 Resolution providing for the issuance of a warrant in favor of W.G. Tomko & Son, Inc. (William G. Tomko, Jr., President) in the amount of \$1,385.00 in payment of Extra Work, being in addition to the original contract price of \$94,430.00 on Controller's Contract No. 27722, furnished for the benefit of the City in connection with the Building Plumbing Contractor at the Pittsburgh Zoo - Phase 4.1: Plaza, payable from Code Account PR 81-02. This Extra Work consists of the installation of a catch basin to connect an existing 6" clay tile line located in front of the polar bear exhibit. (PRIOR APPROVAL GRANTED)

Also,

No. 1013 Resolution providing for the issuance of a warrant in favor of Trumbull Corporation (Perry J. Dick, President) in the amount of \$63,720.80 in payment of Extra Work, being in addition to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street - Phase I, payable from the Grant Street Trust Fund. (PRIOR APPROVAL GRANTED)

Also,

No. 1014 Resolution providing for the issuance of a warrant in favor of Metz & Lautner Plumbing (George L. Lautner, Partner) in the amount of \$1,607.21 in payment of Extra Work, being in addition to the original contract price of \$32,170.00 on Controller's

Contract No. 27218, furnished for the benefit of the City in connection with the Rehabilitation of Fire Stations No. 16, 36 and 7, payable from Code Account EC 86-67. This Extra Work consists of the installation of a new gas service line at No. 16 Fire Station. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Also,

No. 1015 Resolution providing for a Contract or Contracts, or use of existing Contracts, for roof rehabilitation on the Department of Public Works Traffic Control Building at a cost not to exceed \$240,000.00, chargeable to and payable from EC 86-79 - \$170,000.00 and EC 85-59 - \$70,000.00.

Also,

No. 1016 Resolution providing for an Agreement with the Urban Redevelopment Authority and the Pittsburgh Water and Sewer Authority in connection with the Wiggins Street Town House Project, under which the City: a) will make or cause to be made necessary public improvements in public streets and in right-of-ways to be dedicated to the City; and b) will, as the agent of the Pittsburgh Water and Sewer Authority, make or cause to be made necessary improvements in water and sewer facilities, including installations.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 1017 Resolution providing for an Agreement between the City of Pittsburgh and the Pennsylvania

Department of Transportation in connection with the resurfacing by the City of various State Routes within the City and providing for the payment thereof by the Pennsylvania Department of Transportation to the City of Pittsburgh, of the Department of Transportation's share of the cost incurred at a cost not to exceed \$1,400,000.00. Said amount shall be deposited into Asphalt Reimbursement Trust Fund.

Also,

No. 1018 Communication from Norman Walker, Director, Department of Environmental Services, requesting permission for Fred Morgan, Charles Grinage and Leo Mincin to attend the Human Society of the United States, Animal Control Academy in Des Moines, Iowa from July 14-25, 1986, at a cost not to exceed \$4,200.00, payable from the Animal Control and Welfare Trust Fund. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1019 Resolution Repealing Resolution No. 75, approved February 14, 1985, entitled: "Providing for an Agreement or Agreements for consulting services to assist City of Pittsburgh in acquiring state assistance and fundings, to work with agencies of government for benefit of the City and providing for the payment of the costs and authorizing the Mayor to terminate related agreement with Charles J. Kolling, Jr. for professional consulting services, at an aggregate cost not to exceed \$25,000.00, chargeable to and payable from Code Account 1017, Miscellaneous Services, Mayor's Office." --- (SPONSORED BY MR. GRABOWSKI)

Which was read and referred to the Committee on Finance.

Mr. Grabowski moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mrs. Masloff presented

No. 1020 Communication from Louise R. Brown, Director, Department of Parks and Recreation, submitting notification that effective August 1, 1986, the Department of Parks and Recreation will be instituting a non-resident charge at the Pittsburgh Aviary and Phipps Conservatory.

Which was read and referred to the Committee on Parks and Recreation.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Pollock seconded the motion.

Which motion prevailed.

Also,

No. 1021 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Rupert Friday and Phil Costanzo to travel to the Laurel Highlands Hiking Trail in association with the Outdoor Challenge Pittsburgh Summer Program for Pittsburgh area teenagers in Cambria, Westmoreland,

Somerset and Fayette Counties on July 8-10, July 14-17, July 29-31, August 5-7 and August 12-15, 1986, at a cost not to exceed \$50.00, payable from Frick Park Trust Fund. Also, requesting permission for staff members to use PR-302, Environmental Education Program van, and a summer rental vehicle for transportation. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 1022 Resolution providing for the issuance of a \$1,244.01 warrant in favor of Thrifty Rent-A-Car in full settlement for vehicle damage to a leased vehicle on the Pennsylvania Turnpike on December 4, 1985, payable from Code Account No. 46, Judgments.

Also,

No. 1023 Resolution providing for the issuance of a \$781.00 warrant in favor of Bell of Pennsylvania in settlement of claim for property damage by a Bureau of Fire vehicle, payable from Code Account No. 46, Judgments.

Also,

No. 1024 Resolution providing for the issuance of a \$933.00 warrant in favor of Bell of Pennsylvania in settlement of claim for property damage by a Bureau of Fire vehicle, payable from Code Account No. 46, Judgments.

Also,

No. 1025 Resolution providing for the filing of a petition or petitions for the sale of property or properties, acquired at tax sales in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 1026 Resolution providing or an Agreement or Agreements with the Western Pennsylvania Conservancy for Professional Landscaping Services for 1986, at a cost not to exceed \$3,500.00, chargeable to and payable from Code Account No. 1838, Miscellaneous Services, Department of Parks and Recreation; and transferring \$3,500.00 from Code Account 10, Accounts Payable Prior Years, to Code Account 1838, Miscellaneous Services, Department of Parks and Recreation.
—(SPONSORED BY MR. POLLOCK)

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 1027 Resolution amending Resolution No. 629, effective July 17, 1985, entitled: "Providing for an Agreement or Agreements, with Consultant or Consultants for the purpose of assisting the City in preparing and implementing a two-way communications process for the purpose of citizen involvement in planning, implementing and evaluating City programs and projects including but not limited to the Six-Year Development Program, the Community Development Block Grant Application and the Neighborhood Revitalization Program, and for providing planning and architectural assistance," by increasing the allocation from \$480,000.00 to \$487,500.00, chargeable to and payable from CP 85-02 Citizen Participation and Technical Assistance, including Architects Workshop CTAC, and CDC'S.

Which was read and referred to the Committee on Planning, Housing and

Development.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 1028 Resolution amending Resolution No. 713 of 1984, entitled: "Providing for an Agreement or Agreements with Lawrenceville Citizens Corporation for a two-year period for the City's share of administrative costs to establish a local development corporation to pursue neighborhood revitalization at a cost not to exceed \$110,000.00, chargeable to and payable from the 1984 Community Development Block Grant Program, 'Unspecified Local Option,'" so as to extend the period of the legislation to September 30, 1987.

Also,

No. 1029 Resolution providing for the implementation of a Residential Sticker Parking Program in the Allegheny West community pursuant to Pittsburgh Code, Chapter 549.

Also,

No. 1030 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Charles E. Davis Construction Co., Inc. for the sale of Parcels B-10 and B-15 in the 11th and 12th Wards of the City of Pittsburgh in Redevelopment Area 10 for the sum of \$1,000.00 per dwelling unit. The redeveloper plans to construct

townhouse units on these sites. The redeveloper is a Pennsylvania Corporation with an office at 1845 Lincoln Road, Pittsburgh, PA 15235. Charles E. Davis is the President and Secretary.

Also,

No. 1031 Resolution approving an Agreement by and between the Urban Redevelopment Authority of Pittsburgh and Charles E. Davis Construction Co., Inc. in which the Urban Redevelopment Authority of Pittsburgh will provide financial assistance to the purchasers of houses to be constructed in the 11th Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program. The redeveloper will construct 11 townhouse units on property in the 11th Ward. The redeveloper is a Pennsylvania Corporation with an office at 1845 Lincoln Road, Pittsburgh, PA 15235. Charles E. Davis is the President and Secretary.

Also,

No. 1032 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various redevelopers for the sale of properties in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32 (REAR YARDS).

Also,

No. 1033 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Joe and Ruby Bolton for the sale of Parcel 84 for the sum of \$5,700.00 in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32 (RESALE FOR REHABILITATION).

Also,

No. 1034 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to convey and the City of Pittsburgh to acquire the property designated as Block 17-R Parts of Lots 180 and 130, and Block 36-C Lot 295, in the 20th Ward of the City of Pittsburgh for the sum of \$1.00 plus all necessary and incidental expenses. The Authority is transferring this property to the City for park purposes.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 1035 Resolution providing for the letting of a Contract or Contracts for the use of existing Contracts for the purchase of Fencing for the Police Firearms Range at a cost not to exceed \$25,000.00, chargeable to and payable from the Department of Public Safety Code Account (DPSTPP).

Which was read and referred to the Committee on General Services.

Also,

No. 1036 Resolution providing for an Agreement or Agreements with the Organization "Support" formerly known as "Legal Advocacy for Women" for professional services in connection with the legal support for women program at a cost not to exceed \$8,500.00, chargeable to and payable from the Department of Public Safety, Bureau of Administration Code Account 1401, Miscellaneous Services.

Also,

No. 1037 Resolution providing for an Agreement or Agreements with the

Center for Emergency Medicine of Western Pennsylvania (CEM) in connection with Emergency Medical Services System of Pittsburgh for the protection of life and health of the people within the City of Pittsburgh at a cost not to exceed \$42,896.00, chargeable to and payable from the Department of Public Safety, Bureau of Emergency Medical Services, Code Account (DPSTPP).

Also,

No. 1038 Resolution authorizing and directing the City Controller to create a special trust fund to be designated as the Community Crime Prevention Trust Fund, for the deposit of donations made for the purpose of furthering the goal of crime prevention, and authorizing the use of the funds deposited therein by the Department of Public Safety for any and all expenses associated with the development and implementation of Crime Prevention Programs.

Also,

No. 1039 Communication from John Norton, Director, Department of Public Safety, requesting permission for Police Officer John Daniel to attend an "Officer in Trouble" Seminar in Washington, D.C. on June 22-25, 1986, at a cost not to exceed \$750.00, payable from Code Account DPSTPP. (PRIOR APPROVAL GRANTED)

Also,

No. 1040 Communication from Acting Director, Glenn Cannon, Director, Department of Public Safety, requesting permission for Deputy Chief John Moran to attend the Third Regional III Training Resource and Data Exchange in Philadelphia, PA on June 23-24, 1986, at a cost not to exceed \$350.00, payable

from Code Account DPSTPP. (PRIOR APPROVAL GRANTED)

Also,

No. 1041 Communication from John Norton, Director, Department of Public Safety, requesting permission for Lieutenant Bernard L. Schmiedeke to attend the regular quarterly meeting of the Municipal Police Officers Education and Training Commission in Wilkes Barre, PA from June 18-19, 1986, at a cost not to exceed \$175.00, payable from the Police Recruit In-Service Training. Permission also requested for use of a City vehicle. (PRIOR APPROVAL GRANTED)

Also,

No. 1042 Communication from John Norton, Director, Department of Public Safety, requesting reimbursement for expenses incurred while attending the Commissioning of the Submarine USS Pittsburgh in Graton, Connecticut on November 23, 1985, total cost not to exceed \$500.00, chargeable to and payable from Code Account 1017.

Which were severally read and referred to the Committee on Public Safety.

The Chair presented

No. 1043 Communication from Ronald C. Schmeiser, Director, Department of Finance, submitting a Report of Deposits and Market Value of Collateral Security pledged by City Depositories to secure same as of April 30, 1986.

Also,

No. 1044 Communication from Richard M. Cosentino, Executive Director, Pittsburgh Water and Sewer Authority, submitting an Annual Report

of the Authority's Fiscal Affairs for 1985, and also, an Audit of the Authority's books, accounts, and reports prepared by a Certified Public Accountant for the 1985 calendar year.

Which were read, received and filed.

Also,

No. 1045 Resolution authorizing the issuance of a warrant in favor of NBI, Inc. in the amount of \$5,010.00 to increase storage capacity of word processing hardware in the Office of the City Clerk, chargeable to and payable from Code Account 1006, Equipment, City Clerk's Office.

Which was read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1046

Report of the Committee on Finance for June 18, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 940

A Resolution entitled, "Resolution transferring the aggregate amount of \$460,000.00 (Four Hundred Sixty Thousand Dollars) from Code Account 41, Refunds Real Estate Tax, Index Code 004101 in the Department of Finance to Code Account Special Parks Program Trust Fund, Index Code 254359 the amount of \$70,000.00 (Seventy Thousand Dollars) and to Code Account Special

Summer Food Service Program, Index Code 270256 the amount of \$390,000.00 (Three Hundred Ninety Thousand Dollars) in the Department of Parks and Recreation."

Which was read.

Mr. Givens:

On Bill 940, in reference to the Department of Parks and Recreation, the total funding for the Summer Food Service Program, some of us were at a community hearing up in Polish Hill this last weekend, and of that, the children weren't being fed any summer programs because the recreational facility was not in. Well, Louise Brown indicated to me privately after this Wednesday session that she was going to have these lunches for the children for the Summer Lunch Program at Polish Hill which I think is good for the youth and for senior citizens, if I'm not mistaken, and I approve or give my vote to this bill, 940, contingent upon that. It was a promise that was given by Parks and Recreation and I hope that they honor that program, that they'll have that lunch service in there as soon as possible.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 941

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Allegheny Conty Sanitary Authority in the amount of \$1,800.00 for a permit fee at the Pittsburgh Zoo, provided without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 942

A Resolution entitled, "Resolution

providing for the establishment of an Imprest Fund for Phipps Conservatory in the amount of \$1,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 946

A Resolution entitled, "Resolution transferring the sum of \$100,000.00 within code accounts of the Department of Law."

Which was read.

Michelle Madoff:

I have a concern on Bill 946. I just want everybody to know what we're voting on. It says miscellaneous services to the Law Department. We're voting \$100,000 that miscellaneous services to pay for attorneys on election by district, the fight, because this Council is being

sued. I just want to clarify that and please have my comments from Wednesday brought forward.

I asked a question of Mr. Pellegrini and that's what he said it was for. That's true; isn't that what he said? That's what the money is for; was it not?

Mr. O'Malley:

\$75,000 was for that.

The Chair:

\$25,000 is for the Schmeiser case.

Michelle Madoff:

But \$75,000 is for the lawsuit. I just want people to know what we're voting on, not miscellaneous.

(BEGINNING - MICHELLE MADOFF'S
REMARKS ON BILL NO. 946 -
WEDNESDAY 6/18/86)

Michelle Madoff:

Discussion. What miscellaneous obligations? I don't like to vote for miscellaneous. I've never met a miscellaneous yet.

Mr. Pellegrini:

The miscellaneous services involved are two-fold. We did not budget the \$75,000 for the voting rights case, and we also did not budget the \$25,000 that we were required to pay outside counsel as a result of Mr. Flaherty's lawsuit against Mr. Schmeiser and Mr. Stone. In fact, I'll probably be coming back to Council again for another \$30,000 to \$50,000 for that lawsuit.

Michelle Madoff:

Or for an attorney to sue me.

Mr. Pellegrini:

Woever, but just for that particular lawsuit will be another thirty to fifth thousand dollars.

Michelle Madoff:

Mr. Pellegrini, did you anywhere in your bill indicate, because I quite frankly didn't read it until just now, what the money was for? It just said miscellaneous.

Mr. Pellegrini:

It's just a transfer. In fact, you authorized the previous amounts and what this does is it makes that account whole.

Michelle Madoff:

In future, would you help Mike Perry because he has not got a crystal ball that functions, his broke, and just tell us this miscellaneous service will be used for the \$75,000 that we need for the lawsuit and for whatever else, so that he can put it on our bill and we don't have to take you to the table and go through this. It saves us all a lot of grief and time. He's been doing it on other bills for other things and it's been very helpful.

I might also, at this point, mention that that was a very close vote, as I recall — maybe not close, but it was not a unanimous vote to go out on that \$75,000 for the attorney.

Mr. Pellegrini:

It doesn't matter whether it was close, but as long as it was five to four.

Michelle Madoff:

No, I'm not arguing, but I'm making

the point that maybe we could drop that lawsuit if indeed something could be worked out without a lawsuit. It appears a bill may come out of Committee, and maybe we could save the \$75,000.

Mr. Pellegrini:

I think we can save the \$75,000 because that lawsuit is progressing and there's been a lot of work already done on that lawsuit.

Michelle Madoff:

I'm just asking because I don't know.

Mr. Pellegrini:

But the answer, but the fundamental answer is that there has to be a way to resolve that matter which is not in my power right now nor have the Plaintiffs made any offer to settle.

Michelle Madoff:

I was hoping that the Administration -- I've talked to the Mayor, and he said he was willing to sit down with all sides, and I conveyed this to you, to come up with a resolution so we couldn't have to go to court. Is there some mechanism where you could establish that?

Mr. Pellegrini:

I'd rather not discuss that anymore right now.

Michelle Madoff:

Thank you.

(END OF REMARKS)

Mr. Givens:

I have a comment on Bill 946, on that judgment. I would like to go on the record. \$100,000, apparently, was for litigation on Mr. Flaherty, the Controller, and \$75,000 was for the Council by district. These bills are going to continue to accumulate in the Council of the City of Pittsburgh and my only caution here is that we in Council must pay this and as a result, how many other bills are out there that the Administration is going to present to us? I think somewhere, Mr. President, we might be able to get a handle on that because this thing could get carried away one way or the other. I don't want to see the City to get into litigation to the point where it's going to cause political ramifications with this Councilman as others in this Council, and to hold cost down as much as possible for the taxpayers of the City of Pittsburgh.

So, this bill has ramifications and I'm voting for it today but I'm assured there are other bills that will come in and I ask that the Finance Chair and others, yourself, Mr. President, to find out how involved this is going to be and to please try to get the Administration to hold cost down as much as possible in going into litigation, that they come up privately or otherwise and tell us how far they're going to go here and see if they have the support, the total support of this Council as far as they're going.

Also,

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Bill No. 947

A Resolution entitled, "Resolution repealing Resolution No. 434, approved May 23, 1986, effective May 30, 1986, entitled, 'Providing for a professional services contract or contracts or to use existing professional services contracts for the development, design, printing, publication, delivery, implementation and/or distribution of public relations, marketing and recruitment materials, strategies or plans of action for the City of Pittsburgh's Job Training Partnership Act programs and providing for the payment of the cost thereof'."

Which was read.

Also,

Bill No. 948

Resolution amending Resolution Number 37-A and J, approved February 4, 1986 for sale of lots at 1818 Colwell (3rd) Ward and 114 Cagwin Street (19th) Ward. Priced at \$300.00 each. Resolution is to correct the Lot Number in Item A and the Lot size in Item J.

Which was read.

Also,

Bill No. 949

Resolution repealing Resolution Number 14-K, approved January 31, 1984 for sale of lot - 27th Ward, Atmore Street, Block and Lot 45-N-145, to Carol A. Burk, for the sum of \$250.00. City does not have a marketable title.

Which was read.

Also,

Bill No. 950

Resolution repealing Resolution Number 1189-D, approved December 26, 1985, for sale of Building 12th Ward, Block and Lot 124-J-115, to Stephen R. Cafaro, for the sum of \$1,500.00. Building was razed. Hand money will be refunded.

Which was read.

Also,

Bill No. 987

A Resolution entitled, "Resolution transferring the amount of Fifteen Thousand (\$15,000.00) Dollars from Code Account 1611-1, Utilities, Bureau of Operations, Index Code 161117, to Code Account 1502, Miscellaneous Services, Director's Office, Index Code 150201, both accounts within the Department of Public Works.

Which was read.

Michelle Madoff:

On Bill 987, we're transferring \$15,000 out of a utility account; is that correct?

The Chair:

Yes.

Michelle Madoff:

There were a lot of reasons why, we had a surplus in gas bills and gas prices that were discussed last week, I believe.

Mrs. Masloff:

It was mostly gasoline, wasn't it?

Michelle Madoff:

Gasoline? But that's still a utility fund. We have a problem with Grandview Avenue has been declared part of the City of Pittsburgh which mandates that the utility line should be placed underground. In July we're going to be digging a big whole, we being the Water and Sewer Authority, to put in a new waterline and our office has been informed, and we can't get a definitive answer from either Lurcott, Lou Gaetano, McDermott, or whomever, and the best we can find out is that there is no money to put those lines underground and I think it would be absolutely ludicrous to dig the whole, put in a new waterline, in light of the fact that I outlined all the problems with McArdle last week and we were told, I believe Channel 4 called Mr. McDermott and Mr. McDermott said, "We're not going to be shutting down McArdle." I want to inform everybody that it was shut down not this past Saturday but last Saturday you could not come down from Mount Washington. You could come up but you couldn't come down; it was shut off one way to get some of the roadside litter and boulders that were falling and rolling off the hill. This week it was closed coming down for a couple of hours; I don't know the reason why. There's no way you're going to work on McArdle

Roadway to either drill to replace the wall, to pave the sidewalks, take off the trees, do all the work that's going to have to be done, get the water leaks that are going onto the roadway where we almost had a fatal accident, and put devastation back on people for seven years on that mountain who have been dealing with the roads closed all the time or part time. Now you're putting a waterline up and we're saying, "Well, we can't get enough money to put the underground wires in at the same time" and here we're voting to take \$15,000 out of a utility account and that utility account might help pay for, that \$15,000 might be able to go towards putting in the underground wires.

As I said, I can't get a definitive answer. I was going to bring it up at the end of the meeting but I brought it up because it may be pertinent to this bill. It's money that we're going to need and I just don't know. How would you proceed, Mr. Woods?

The Chair:

I would pass it because the money is staying within the department and evidently they need it in the Miscellaneous account and they have a surplus in the Utility account.

Michelle Madoff:

If you have a surplus in the Utility account but our department heads say we don't have enough money to put our overhead wires underground we're going to have to dig it up twice after seven years, maybe we shouldn't be transferring it. Maybe we ought to hold it a week and see if we can find the money somewhere else. Mr. Givens?

Mr. Givens:

I hear you.

Michelle Madoff:

Why would we transfer that money if we're going to need it for a utility item which is putting overhead lines underground?

Mr. Givens:

Because Public Works is doing this actual work and they need that money. Otherwise, it comes out of the Department of Public Works' hide.

Michelle Madoff:

It would seem to me that no matter where we find it we have to find that money so we don't dig that whole twice.

The Chair:

But both accounts are in the same department, is what Mr. Givens is saying. So it really doesn't matter.

Michelle Madoff:

Alright, I just wanted to mention that.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 1047

Report of the Committee on Public Works for June 18, 1986 transmitting one ordinance and two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 935

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Four - Public Places and Property, Article I - Streets and Sidewalks, Chapter 419 - Regulated Activities, Section 419.01 - Obstructions, by providing for an exception in the 'Produce District'."

Which was read.

Mr. Wagner:

Mr. President, I'd like my comments brought forward pertaining to the sidewalk obstructions on Bill No. 935.

(MR. WAGNER'S REMARKS - BILL NO. 935 - WEDNESDAY, 6/18/86)

Mr. Wagner:

Director, did this come out of Building Inspection?

Mr. Gaetano:

Yes. The legislation has always

been in the City Code, okay, and the only amendment to it is the actually walking, having pedestrians be able to walk on the sidewalk.

Mr. Wagner:

Okay. Does this legislation also protect the various shop owners, and when I say that what I mean is at the present time we could actually fine them for placing their displays out on the sidewalk.

Mr. Gaetano:

Yes, there will be other legislation introduced through Building Inspection, Public Safety, that talks about vendors in different areas, and this does protect them and keeps the Strip area exactly what its for.

Mr. Wagner:

Okay. So in other words, what this does is it protects not only the shopowner by permitting them to display their product, but also it requires them to regulate a certain area for pedestrian walkways, so it helps the public also.

Mr. Gaetano:

Right. Yes.

Mr. Wagner:

What are the parameters of this legislation? It says here, exception in the Produce District. What do you identify as being the Produce District?

Mr. Gaetano:

The Produce District goes from 15th Street, then on the north by 24th Street, on the east by Liberty Avenue, and the west by Allegheny River.

Mr. Wagner:

So it's 15th Street to 24th Street?

Mr. Gaetano:

Right.

Mr. Wagner:

The Allegheny River --

Mr. Gaetano:

To Liberty Avenue.

Mr. Wagner:

Liberty Avenue. Now is that considered to be the Strip District, the official boundaries of the Strip District?

Mr. Gaetano:

This is how it was already in the City Code in Section 719.06, yes.

Mr. Wagner:

Thank you.

(END OF REMARKS)

Also,

Bill No. 936

A Resolution entitled, "Resolution providing for an Agreement between the City of Pittsburgh and the Borough of Green Tree in connection with the resurfacing of Elmdale Road between Warriors Road and approximately 600' North and providing for the payment, by the Borough to the City, of the Borough's share of the cost thereof."

Which was read.

Also,

Bill No. 937

A Resolution entitled, "Resolution providing for an Agreement between the City of Pittsburgh and the Borough of Mount Oliver in connection with the resurfacing of Ottilla Street between Penn Avenue and Horn Avenue and providing for the payment, by the Borough to the City, of the Borough's share of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 1048

Report of the Committee on Planning, Housing and Development for June 18, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 955

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in various wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County Block and Lot Numbers mentioned therein."

Which was read.

Also,

Bill No. 956

A Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Redevelopers for the sale of properties in the City of Pittsburgh (Sideyards)."

Which was read.

Also,

Bill No. 957

A Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Redevelopers for the sale of properties in the City of Pittsburgh (Urban Homesteading Rehabs)."

Which was read.

Also,

Bill No. 958

A Resolution entitled, "Resolution

approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Colonel C. Heeter for the sale of Block 2-H, Lot 130 in the Third Ward of the City of Pittsburgh (Resale for Rehabilitation)."

Which was read.

Also,

Bill No. 959

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Perry Paidoussis for the sale of Block 23-F, Lot 291 in the Twenty-Fifth Ward of the City of Pittsburgh (Resale for Rehabilitation)."

Which was read.

Also,

Bill No. 960

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Reginald E. and Deborah Perry Clay for the sale of Parcel 80 in the Thirteenth Ward of the City of Pittsburgh in Redevelopment Area No. 19 (Sideyard)."

Which was read.

Also,

Bill No. 961

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Harold D. and Riva F.

Gee for the sale of Parcel 55C in the Fifth Ward of the City of Pittsburgh in Redevelopment Area No. 31 (Construction of Single Family House)."

Which was read.

Also,

Bill No. 962

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Maria T. Johnson for the sale of Parcel 57 in the Fifth Ward of the City of Pittsburgh in Redevelopment Area No. 31 (Construction of Single Family House)."

Which was read.

Also,

Bill No. 963

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John A. and Elaine L. Pizzuto for the sale of Block 29-N, Lots 141 and 148 in the Sixteenth Ward of the City of Pittsburgh (Car Wash Facility)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mr. O'Malley
Mr. Givens Mr. Pollock
Mr. Grabowski Mr. Wagner
Michelle Madoff Mr. Woods
Mrs. Masloff (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

Bill No. 1049

Report of the Committee on Water for June 18, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 990

A Resolution entitled, "Resolution providing for a contract or the use of existing contracts for the repair of the air conditioning unit at the Water Treatment Plant and providing for the payment of the cost thereof."

Which was read.

Mr. Pollock:

In accordance with Section 322 of the Home Rule Charter, "Publication Effective Date of Legislation", I move that the effective date shall be the date on which it is signed by the Mayor.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Michelle Madoff:

I believe that Councilman Wagner asked for a breakdown on the bill, the \$21,000 for the air conditioning.

Mr. Wagner:

Mr. President, I asked for information.

Michelle Madoff:

And we got the information today.

Mr. Wagner:

I did not receive it.

Michelle Madoff:

I got it.

Mr. Wagner:

I'm glad to hear someone receive it.

Michelle Madoff:

So am I. Mr. Perry, would you do me a favor and read this for everybody?

Mr. Perry:

This is to Jack Wagner, Councilman; from Daryl Smith, Director of the Department of Water; dated June 20, 1986; and the subject is Water Treatment Plant Air Handling System.

"The air handling system at the Treatment Plant was installed in 1969 with a cooling capacity of 98.2 tons. This system services the laboratory, O.C. Center offices, conference room and the first floor area. The replacement cost of this system is approximately \$200,000.00.

Per your request, we have examined the repair history of this air handling unit. Our information reveals that the following repairs have taken place over the past five years:

July 28, 1979

Check
\$272.00

September 10, 1979

Compressor replaced
\$19,000.00

June 16, 1980

Check
\$648.00

July 14, 1980

Miscellaneous repairs
\$2,183.00

August 22, 1980

Replace expansion valves
\$1,176.61

July 13, 1982

Remove and repair evaporator coil
\$460.00

July 29, 1982

Remove and replace evaporator coil
\$8,286.66

June 25, 1982

Freon required for evaporator coil
replacement
\$1,817.50

Contrary to the information you presented in Council, we have experienced only \$10,564.14 in repair and service costs to this air handling system over the past 5 years. All of these costs were related to the removal and repair of the expansion coils in the air handling unit. This expansion coil is a totally separate component from the compressor that is now being considered for replacement.

The compressor was replaced in 1979. The warranty period for a new compressor is one year. Since the compressor lasted over 6 years, we certainly have no legal recourse against the supplier of the compressor.

It is important to note that an air handling system is made up of a number of components (compressor, fans, coils, valves, etc.). When one of these components fails, we are faced with the decision of replacing the component or replacing the entire air handling system. In each of the repairs itemized above, it was determined that it was more practical at that time to replace the non-functioning component or components than to replace the entire unit. Since this air handling system is now 17 years old, the repair vs. replacement decision becomes more critical.

Our current plan is to purchase and install a rebuilt compressor that carries the same warranty as a new compressor. It is our opinion that the other components of the air handling system are in pretty good shape and should provide good service for many years to come. Therefore, we believe that the proper course of action is to install a rebuilt compressor. As I indicated during the Council session, we reviewed this situation with Chester Engineering and they concur that this is the proper course of action.

If you have any further questions concerning this matter, please feel free to discuss them with me."

Carbon copies went to each member of Council.

Michelle Madoff:

Mr. Wagner, didn't you say that you had irrefutable information that they

spent \$40,000 on repairs?

Mr. Wagner:

My figure was \$30,000 over the last five years but, as indicated, I was wrong; it was over the last seven years. And the total figure that you have there is what?

The Chair:

They bought a new compressor in '79 and that cost \$19,000 but over the last five years it has only been \$10,000.

Michelle Madoff:

That's my point. I would like to make a recommendation that that be Xeroxed and sent to all members of Council. I don't know why Mr. Wagner didn't get it since it's addressed to you.

Mr. Wagner:

Mr. President and members of Council, I certainly don't want to hold up this legislation but the purpose of requesting that was that I was told that the air conditioning system at the Water Plant simply has not been functional and working well for a period of years. Whether or not it relates to this particular unit or not I am not certain. However, we do have a big plant there and we have a big air conditioner supplying a big plant and maybe the approach they should be taking is looking at individual units for separate rooms without having a large unit working full-time for the entire building. Obviously people are not in the entire building all the time; just certain rooms that control the various valves are the rooms that have to be manned 24-hours a day and maybe that's the route we should be approaching here to reduce the amount of maintenance cost on the system.

Michelle Madoff:

Since we already have a system and since it is recommended instead of replacing a \$200,000 unit and buying individual air conditioners there's no bargain and you get a noise level that's unbelievable unless some of the new ones are quieter but expensive, and it occurred to me that that is an item that you might want to follow up and speak to the department head about.

As you know, you made a very astute comment that at least we got an answer. You raise a very good question. I don't know the answer to that question because I don't get answers. I got your answer sent to me. It may be that there are other air conditioning units that do need attention and I think that I've got a piece of legislation, a floor motion at the end of the meeting that will address some of the problems we have in Water and it might just be appropriate at that time to also delve into since that's a Water and Sewer Authority bill now probably and I'm wondering if that doesn't fall under their department, that we address that issue at that time.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 1050

Report of the Committee on Parks and Recreation for June 18, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 943

A Resolution entitled, "Resolution providing for authorization to enter into an agreement or agreements with various contractors for July 4th Synchronized Music/Fireworks Show in conjunction with the Department of Parks and Recreation, Special Events and Cultural Affairs Summer Programs and providing for the cost thereof, at a cost not to exceed the amount of Forty-Five Thousand Dollars (\$45,000.00), with Twenty-Five Thousand Dollars (\$25,000.00) from the Special Parks Program Trust Fund, Index Code 254359 and Twenty Thousand Dollars (\$20,000.00) from the City-Wide Events, Code Account 1837, Index Code 183707, in the Department of Parks and Recreation."

Which was read.

Mr. Givens:

I had made an inquiry and last Wednesday I had discussed this particular bill and what was happening right here. This contract that the City is supposed

to enter into, apparently they've already entered into a contract. I've gotten calls and my office has made calls since Wednesday when this bill was introduced so we can get some information from it and it was inquiries into my office that some of the major fireworks display, people here in the City of Pittsburgh had not had an opportunity to bid on this particular fireworks, some \$45,000, some of the people that have been traditionally been doing all of our fireworks here in the City of Pittsburgh over the last several years, and that has to raise a little bit of caution for me to vote for this and I'm sorry that I didn't have an opportunity to get this information ahead of time but I would recommend that the Chairperson put this in Committee for one week so we can discuss this with the Administration, etc., if only for the purpose of finding out what is happening right here, because of the inquiries that came into my office. I don't know if any other Councilpeople have received these inquiries or not. Have they or have they not?

The Chair:

I haven't. Dick, the Fourth of July is almost here. We don't have the time.

Mrs. Masloff:

Mr. President, I was just going to say that we're 10 or 11 days away and there's nothing wrong with this. We're 10 or 11 days away from this event. These papers are all in order, the insurance is in shape and there's no reason to hold this bill up at all. I move for approval.

Mr. Givens:

Mr. President, I haven't relinquished the floor.

The Chair:

Yes you did.

Mr. Givens:

I asked the Chairperson if she might put it back into Committee. It's a request that many Councilpeople make right here so I can try to solve and give an intelligent answer to the people who have been traditionally doing this work for the City.

I have to appreciate that the hour is getting very close; however, most of these people are not even paid until after the deliverance of the fireworks and if there's such a big rush, why are we getting it at such a late date that even one week, that I cannot respond to the issue?

Mr. Pollock:

I think we should go ahead and vote it because of the lateness of the hour but then look into Mr. Givens' allegations. If he's saying that people who normally bid on our Fourth of July fireworks show weren't able to bid, then that's something that should be checked out. But I don't see why these people shouldn't have been able to bid or shouldn't have known about it. I mean, the Fourth of July comes around about the same time every year and if they're bidding on it then they should know when to get their bids in. There's no reason for them not to know about it.

Mr. DePasquale:

With all due respect to Councilman Givens and the calls he's received, I don't think there's anybody in the City of Pittsburgh equipped to do a job like that. At least in my experience I've never run into anybody.

Mr. O'Malley:

I'm in favor of Bill 943 and the expenditures but I think this is the type of legislation that this Council is going to have to take a closer look at in the coming years, especially under the fiscal restraints put upon us by the federal government. I think this type of legislation should be a joint venture between the City and the County because quite a few of the people that participate in the July 4th celebration are also county residents.

Even though \$45,000 is not a tremendous amount of money, we had a very emotional hearing here on Wednesday that concerned West Penn Pool. This \$45,000 would operate that pool for approximately three years.

So, I think expenditures like this along with the Regatta and the Arts Festival, the July 4th celebration, the Zoo, these should be jointly sponsored and paid for between the City and the County because I don't feel the City could any longer afford to carry the entire burden for these --

The Chair:

Mr. O'Malley, this is coming out of Parks Special Trust Fund which is all donations. It's not taxpayers' money.

Mr. Givens:

Regardless of where the money is coming from, eventually it comes from the taxpayers of the City of Pittsburgh. This was apparently an agreement that did not have to go out for open bid. There are contractors out there who want to bid on these fireworks, thus maybe reducing that \$45,000 price. I cannot sit here and vote on anything that comes before me when I felt that there hasn't been a good display or a good

effort on the part of the City to go out and get all contractors to enter into some type of a bidding process. If this is then a director contract with a particular contractor, I would say there are other contractors out there, major fireworks display contractors who did not have an opportunity to even bid on this particular \$45,000.

For that reason alone, I ask that this bill be held for one week and let's see where it goes from there. And I don't think the one week of delay is going to make any difference on who can perform the contract or not and, as Jim so indicated, it is a joint — This is the 4th of July fireworks. Now we know what we've been doing with the 4th of July fireworks almost going back to 17 something and as a result, I think there's injustices being done here and all I want to do, my office just wants to do one thing. Just check it out. A very simple solution. Forget about the time because if the time is critical, it wouldn't be coming at this late hour. And give other people a fair shot at it, that's all. Because if we do pass on this, we'll probably hear it from these people and justifiably so, and I will get bids from contractors and find out what they could have done this particular fireworks display at and find out that I might have been able to save the City of Pittsburgh maybe \$10,000. And that's exactly what our Finance Chair is trying to talk about. Let's get our cost down a little bit.

The Chair:

Mr. Givens, I don't know of any fireworks operator within the City limits. There isn't any to my knowledge that can handle something like this.

Mr. Givens:

Just go to your phone directory.

I put it in the formal form of a motion that this bill be held for one week, if I can get a second on the vote.

Mr. Grabowski seconded the motion.

Mr. Givens:

Aye.

Mr. Grabowski:

Aye.

The Chair:

The motion fails.

Mr. Givens:

Discussion on the bill itself. Again, I just have to caution my fellow Councilmembers that this particular \$45,000 expenditure has not gone out and people have been denied the opportunity to bid on this particular contract. That's all I'm going to say.

Mr. Pollock:

I just want to remind my colleagues that now, if we vote no, we cannot bring it up again during this legislative session. It's a different vote. Yes or no.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock

Michelle Madoff Mr. Wagner
Mrs. Masloff Mr. Woods
(Pres't)

AYES 8 NOES 1

(MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens:

Mr. President, we're getting a little clown action in this Council that I don't appreciate. I want the Chief Clerk to go over and read the thermostat. I want a reading from that to see exactly what the reading is in this Council because there's been certain innuendoes and certain clowning going on that I don't appreciate. So, for the Record, I want it to be read and I want it so entered into the Record.

The Chair:

Mr. Givens, if people want to make fools of themselves, that's their business.

Thermostat Reading:

Set at 72 degrees.

Registered at 72 degrees.

Mr. Wagner presented

Bill No. 1051

Report of the Committee on Public Safety for June 18, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 965

A Resolution entitled, "Resolution providing for an Agreement or Agreements effective January 1, 1986 with James K. Staud, VMD, for veterinarian services in connection with the treatment of dogs assigned to the Canine Unit of the Operations Branch of the Department of Public Safety/Bureau of Police, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mr. O'Malley
Mr. Givens Mr. Pollock
Mr. Grabowski Mr. Wagner
Michelle Madoff Mr. Woods
(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 966

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Safety to extend the sick leave of Police Officer Thomas O'Donnell for a period of fifty (50) days in an amount not to exceed \$5,160.00."

Which was read.

Mr. Grabowski:

On Bill 966, as I recall from last Wednesday's Committee Meeting, the City Solicitor was to give us some sort of legal opinion on this and I have not seen it. Perhaps Councilman Wagner can enlighten the Council on that issue.

Mr. Wagner:

Mr. President, Mr. Grabowski and members of Council, I received nothing on this particular bill. We were told last week that we would find something out by Monday either to move on the bill or to hold the bill and put it back into Committee for one additional week. As I indicated, I have heard nothing so therefore I feel that we should move on the bill.

Mr. DePasquale:

Didn't the Solicitor concur last week that he was for it?

Michelle Madoff:

Wasn't it Director Norton who was to get back to us as well? He said he was going to check it out. We've heard from nobody.

Mr. O'Malley:

If I remember correctly, the ordinance that permits Council to do this also states that we must have the permission or the okay of the department head. Of this particular department it would be Mr. Norton.

I think for Mr. O'Donnell's sake, I think everybody on this Council was in favor of the legislation and supports it but I think maybe from a legal standpoint that if we pass this legislation without

that letter and that permission from John Norton, this may be an illegal piece of legislation. So, maybe for Mr. O'Donnell's sake, we all want to see him get his money, maybe we should hold it for a week and request that information from Mr. Norton again.

The Chair:

It's my understanding that even if we do pass this, that if there's not a letter or if the Director does not wish to do it, he doesn't have to do it. That is my understanding.

Mr. DePasquale:

The Director is on record, Mr. President, saying he was for it the other day.

The Chair:

We in Council cannot do this. We have to pass the legislation but it has to be accompanied with a letter approving it from the Director of that department. That's my understanding.

Mr. O'Malley:

What if we pass it without the letter?

The Chair:

He doesn't get paid until the Director authorizes it.

Mr. Pollock:

Can't we pass it now and by the time it's signed into law we can get the letter?

The Chair:

If we sign it into law, whatever we pass has to be signed into law by the

Mayor, it doesn't matter. If we pass it and the Mayor signs it, unless the Director says it's okay, he doesn't get paid. That's the way I understand it and the way I interpreted the City Solicitor. So, we could pass it but it's still up to the Director.

Mr. Grabowski:

Mr. President, if I may, I think the safe course of action here would be to recommit this bill. I think we are on the verge of setting a very dangerous precedent and before we proceed, I think we better make sure that we are clear in what we want to do and that in fact we want to do this. From last Wednesday's meeting, I recall the City Solicitor giving an opinion off the top of his head that this was somehow in conflict with the collective bargaining agreement. Furthermore, Director Norton indicated that last Wednesday was the first time he saw this legislation and he was under the impression that this officer was an outstanding officer but he needed some further information. I think to be safe we had better recommit this for one week. I put that in the form of a motion.

Mr. DePasquale seconded the motion.

Michelle Madoff:

I think it's time that we sent a message to the Directors that we want answers in time, that we're entitled to that and we are the elected officials of this City and we don't want to vote in a vacuum. The general impression of both Mr. Norton and Danny Pellegrini is that they would like to do it, let's vote on the bill. If it should pass this Council, they can come back and tell us how we can get it done or that it's illegal and that we have to do it in another form. I don't think we should keep delaying the bill. I think we ought to vote on it and if it's illegal, so, he should have given us the

information. Why didn't he supply us with the information? Why should we always be guillotined because we don't get the information?

Mr. O'Malley:

I'm in favor of recommitment, again, for Officer O'Donnell's sake because once we recommit, the legislation is back on the table and we have a right to call John Norton and Solicitor Danny Pellegrini to the table and ask their opinion and whether they're in favor of the legislation or if they're against the legislation and we have the right to get all the information we need.

If we pass this legislation, then this Council is limited, or it wouldn't be permitted at a Wednesday session to follow up on this piece of legislation. In other words, you can go into limbo and just be passed over and there's very little this Council would be able to do about it.

Mr. Wagner:

In regard to this bill, 966, the Director has been well aware of this situation for well over two months. The only reason why I chose to introduce this legislation was that various members of the F.O.P. brought it to my attention. I informed them that the proper procedure was for the Administration to request the legislation for Council to approve it and then for them to confirm it. Several requests were made by then to the Administration to do that; it was not done. So, I acted in the best interest of this particular case by presenting this legislation in front of Council. Now, whether or not the Administration will concur that they agree with it, I do not know. All indications are that they will and as Mr. Woods indicated, they must in order for it to be official. I believe the recipient is well-aware of that also; it needs the Administration's approval and it

needs Council's approval.

I personally am not in favor of recommitment of the bill. The reason why is because the bill has been in front of this Council now for two weeks. The Administration is well aware of it. We were supposed to hear from them between last Wednesday and today; we have not. The Department of Public Safety does things at will; they never inform this Council of it. When we ask for information we don't receive it. They go on trips that we're never aware of. We get bills to approve legislation afterward. I, for one, have given them ample time to respond to this legislation and I will not vote for recommitment and I ask all of you not to vote for it.

Michelle Madoff:

I had made the same kind of statement Mr. Wagner made except that I don't want to see something in the paper that says, "Council stops worthy police officer from getting what is justly his because they went ahead and voted". That happened to me when I was out at the hospital and I did not know that you were going to resubmit a bill on my claim the following week. I just had no idea and perhaps had the votes. However, Mr. Ferlo was going to have a public hearing and requested that I take it to court like everybody else and I said okay, so be it, I'll take it to court like everybody else.

In light of that and the way it makes us turn out, I'm going to back off of my position, Mr. Wagner. I think we might be doing this person a great disservice and I think that we better wait a week so that if he doesn't get it it isn't that we rushed it through and therefore made sure he didn't get it. I think that was the point Mr. O'Malley was making and I feel that it would be responsible of us to give it one more week anyway.

Sometimes we wait months; one more week won't make a difference.

Mr. Givens:

I'd just like to make one comment. I share what Michelle is trying to say right here. I want Officer O'Donnell to get all the things that we can give him in this Council and I'd like to see this bill pass unanimously. I'm afraid if it goes today it's not going to get that unanimous vote and I think that's what we need to send a message to any of the Administrators if in fact, and this is the first time since I've been a Councilperson and I just talked to Jeep here who has a few years himself and myself, we're going back 15 years, never has a police officer felt that he needed any extra sick time in order to stay on the payroll. I assume this officer has been one heck of a good officer or there wouldn't be so many people going to bat for him, and I think we need to hear a little bit more about the details of maybe his illness privately so that we know and have a greater understanding of it. And I agree with Jack, maybe, I thought it was kind of a routine matter but it's not a routine matter, Jack. It's the first time it has come up. If its voted on right now, it probably won't get the unanimous vote of the Council of the City of Pittsburgh. I'd like to see it get that and I think it can if we recommit that and get a couple questions answered if we talk about this on the Monday session.

Mr. DePasquale:

Mr. President, correct me if I'm wrong but I thought when Director Norton was up here the other day that he said that he was in favor of the payment but he also was awaiting a legal opinion. As Councilman Wagner says, we were told on Wednesday that we'd have that opinion by today.

I'm opposed to recommitment because I'd like to see this pass, as everyone else here on Council I know would. However, if the Legal Department says it's illegal then so be it; it just won't be paid. But I think we should vote on it today and not recommit it because of what Norton said at the table there, although he didn't have it in writing but we were told we'd have the opinion today and we don't have it. What are we supposed to do?

Michelle Madoff:

I have a suggestion. I just conferred with my colleague. I would like to call for a five minute recess to see if we have enough votes to get it passed. Recess for five minutes.

The Chair:

We can't do that.

Michelle Madoff:

Why not? It's done all the time in Congress.

The Chair:

It just so happens that we are not the Congress.

Michelle Madoff:

Well we ought to start behaving like it and following some of the rules.

The Chair:

I agree with you.

Michelle Madoff:

The reason I act up is because you don't go along the rules.

I'm calling for a five minute recess;

do I have a second?

Mr. Wagner seconded the motion.

The Chair:

And I would ask my colleagues not to do this.

I could just rule you out of order because we already have a motion on the floor and I don't have to accept your motion for a five minute recess until we dispose of the other motion that's on the floor. That ends that subject. Mr. Pollock.

Mr. Pollock:

On Michelle's motion?

The Chair:

It's out of order. There's a motion on the floor and we can't take another motion until that motion is disposed of.

Michelle Madoff:

Excuse me, Mr. President, point of order. What are we on now?

The Chair:

Recommitment.

Michelle Madoff:

So we're going to vote on recommitment first of all, is that it?

The Chair:

Right.

Now it's my turn. Mr. Wagner, I agree, I'd rather vote on this and get it over with, but there is some sentiment here to recommit. I agree with you that we ought to send a message back to

Danny and to Mr. Norton but I think on this matter maybe we ought to just wait and pick another time and another occasion. I would like to see it recommitted just to get Dan's opinion. If we don't have it by Wednesday, I'm going to vote for it anyway but if we could just do it then we'll wait until next Monday and do it.

Mr. Wagner:

My final comment, again, unless the Administration agrees, the legislation is not valid. So, no matter what we do, their opinion has to be affirmative. I don't know how many times we can request information from the Administration whether it be this issue, the consultant studies, the reports we should have had months ago. All this takes is a phone call. It's a matter of checks and balances in respect for the different branches of government. That's really what the issue is more than the issue in front of us.

The Chair:

If I may, Jack, I would like to debate Danny on the issue that we can't do this because it's in the bargaining agreement and I believe that anything in the bargaining, we can get more than but not less than, and that's what he was going to give us his legal opinion on and if it comes up his way, I would like to debate him on it. That's why I'm asking that you recommit it.

Mr. O'Malley:

One last comment. I think Mr. Wagner gave the best reason to recommit the bill. He indicated that sometimes he does not get answers from the Public Service Department or from Mr. Norton and if we pass this bill now, this bill will go into limbo and we may never get the answers. But if we

recommit, we can John Norton and Danny at the table Wednesday and we can get all the answers that this Council requests.

Mr. DePasquale:

If I may, before we vote. What's the Chairman's pleasure? Recommittal or what?

Mr. Wagner:

To vote on the legislation as it sits.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 5 NOES 3

(MR. DEPASQUALE, MICHELLE MADOFF AND MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill was recommitted.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President, I gave you earlier a statement that I would like to put in the Record and make a request for three

hearings and I will read it.

Approximately 3600 City of Pittsburgh residents don't have water meters. They are billed once a year at an estimated amount based on: the number of faucets, bathtubs, toilets and water consuming appliances in their homes. Metered residents are billed for actual use on a quarterly basis.

Most of the flat rate customers are party line users ... 2 or more homes are provided service through a single connection to the water main.

Some developers ran a single line off a water main to provide service for an entire development. Most of these party lines have existed for 50 years or more.

Normal buildup of interior coating has resulted in the significant reduction of line size. The development of water consuming appliances has increased the demand for water. Unfortunately, the volume available, because of clogged lines, has decreased and subsequently added the additional problem of lowering water pressure resulting in times when residents have service interrupted or don't have any water at all.

Persons on flat rate service who are not metered are more likely to be senior citizens, people on fixed or low incomes and the unemployed. Homes billed for flat rates can pay as much as \$400 a year as opposed to the metered residents with identical water usage and would pay up to 75 percent less.

It appears that in some cases a family that is metered could pay far less than a single resident on a flat rate.

Our office has received literally dozens of complaints from persons on flat rates. I am, therefore, requesting

that the President of Council schedule a public hearing for all flat rate customers. A mailing list of labels is available of a flat rate customers.

Incidentally, just so we don't have 3600 people, although we can move to the Diocese, what we want to know is are you going to attend and the letter would tell how much room we have for people to be seated, that they may want to speak for a group of people. But they are requesting a hearing and it has to be addressed. I'm requesting, as a member of City Council, the right to have a public hearing. If I was denied, then we would get 25 signatures and we will go ahead and do it and we will hopefully through the media let the other 3600 people know. I don't believe you have the right to deny a public hearing to any member of Council. We can discuss that.

I am also requesting a public hearing so the Water Authority can report on reasons for rate increases and a post agenda or hearing which can be combined with the above on why we haven't collected unpaid water bills and why we don't know the exact amounts, as we read in the paper this weekend. It's estimated anywhere from one million to five million. They don't know who it is or why we don't know the information and I want to know why, the Water and Sewer Authority has been in operation for two years, they don't have this information.

NOTE: At a vote of four to five, Council lost the opposition to the creation of a Water Authority. Our concern was that water rates were going to go up and it was going to be very substantive and that we should have the courage to vote that as a Council and not relegate that to the Water and Sewer Authority which was formed just to be able to raise rates and not just to issue bonds because there's a mechanism

whereby Council could have had a bond issue in house. We could have been the overseers. We four who voted in opposition were afraid that what is happening would happen. Water rates would go up each year substantially.

The majority of this Council voted against four of us to avoid the political ramifications of having to face the music and the music is becoming played very loudly. Fourteen percent last year, anticipated nineteen percent this year; I don't know what it will be next year. After the money side of the bank for two years getting interest and sort of legal arbitrage we now say to senior citizens, whoopee, we're going to give you a little decrease in your water rates. But really we're not because it's going up farther than what we're decreasing and it's going to continue in that vein. And I think that we need to have a report.

I want to also say that our office has requested the annual report from the Water Department for '83, '84 and '85, and there is no such report anymore. We just got a fiscal report from the Water and Sewer Authority and it said nothing except how we went out and borrowed money, where they borrowed the money, and how they started spending it. It doesn't talk about how the Water Department is functioning, the number of leaks, where they're shutting down valves, the problems that we've run into shutting off water for 12 hours for the communities on the East End because we can't find out valves.

I only wish that this had not been planned obsolescence. I've been here eight years; I've been trying to get money every year for the Water Department. It was deliberately planned obsolescence. We kept it together with spit, paste and band aids. Our Water Department staff didn't have the equipment they needed to do the job.

They have backhoes that were 17 years old that were costing us more to rent and repair than getting a second hand one. And now that gives the Administration the excuse to go to a Water Authority because the number of leaks and we're now going to pay the cost that we all knew it was going to come to and those who objected to the Authority, and I think its appropriate we have hearings on all three items.

The Chair:

If you would like to make a motion to have a public hearing and it gets a second and the majority of Council votes in favor, we will have a public hearing.

Michelle Madoff:

I don't think it would be appropriate for me to do it since everybody is gone. We've lost three members of Council. I think I ought to hold it until next week; I don't have enough people here to get a majority vote.

The Chair:

How do you know that?

Michelle Madoff:

Well if I lose I'm out of luck, aren't I? But I could always then go out and do 25 signatures so it isn't all lost.

I'll make a motion that we have a hearing on all three items.

Mr. DePasquale seconded the motion.

Mr. DePasquale:

Mr. President, I was always under the impression that flat water rate users got a break. Perhaps I'm wrong and if so, I stand corrected.

But the other is, can anyone here answer the question, if a person is on the flat water rate, can they get a meter put in upon request? If these people don't want to do this, what would be the sense of having a hearing?

The Chair:

On the motion first.

Mr. Pollock:

Mr. Woods, I would hope that we could have an unwritten or written rule or policy from you that any member of this Council does not have to make a motion or request a public hearing, but it would be given to him or her upon a request to you because to require to have a vote on it, if it would lose, it would just be requiring that member of Council to go out and obtain 24 other signatures which is really an embarrassment to us as members of Council to inquire that. So, I would hope that you would entertain any request for any member of Council for a public hearing and grant that request.

The Chair:

Mr. Pollock, I'm just going by the rules that have been set before I got here. Never have I seen ever before when a Councilmember made a request or made a motion to have a public hearing that this Council or other Councils that I served on did not permit that. I can't see anybody here going to vote against it.

Mr. O'Malley:

Just to take the other side of that, I agree that this Council should vote on requests of Councilmembers for a public hearing because any Councilmember has the right to ask for a post agenda to get all the information that they needed or

all the information that they request. Each member of Council has priorities that are important to that person but are not necessarily important to other members of Council. I'm not so sure that it's proper that all nine members of Council should have to show up at a hearing just to gather information when the information could be gathered at a post agenda. I think it's proper that all members of Council do vote on the hearing because there are instances that all of us have priorities and my priorities might not be Michelle's priorities and while Michelle is working on her's I certainly should be able to work on mine. I'm not so sure that something like this shouldn't be done at a post agenda and then if Michelle cannot get the needed information at a post agenda then she should request a hearing.

Mr. Pollock:

I think that Mr. O'Malley isn't taking cognizance of the fact that even if this Council votes that member down, if he or she wants a public hearing, he or she can get it by just going out and getting 24 signatures and what it's really doing is embarrassing that member of Council and further putting members of the staff in a position where, if that member of Council goes up to the City Clerk's Office to get signatures, are the members of the staff going to sign that petition because one member of Council asked for it and the other colleagues voted against it? I think it's an awkward situation, I think it's embarrassing, it's requiring a member of Council to basically have to resort to actions that any member of the public has to when in fact members of Council shouldn't have to resort to that.

The Chair:

All in favor of the public hearing?
Opposed?

WHICH MOTION PREVAILED.

Michelle Madoff:

I would like to request that it be televised. That's a motion.

Mr. Givens seconded the motion.

Mr. Givens:

I second that motion, Mr. President, for the mere reason that it affects a lot of people, a lot of water users in the City of Pittsburgh and I think many of those people in the City don't have the opportunity to come down here and I think that's what our public governmental Channel 17 is all about, to get the message out.

Michelle Madoff:

Excuse me, clarification. We're talking about three items. We want to do them all in the same day? The three hearings I requested. Three items. Are you aware of that? One is on the flat rates, we have a \$3 million cost to repair it, the Water and Sewer Authority has the money; the other one is why we haven't collected the money today; and why the rates are going up. Do you want to do it all in one day?

The Chair:

I sure do.

Michelle Madoff:

Fine with me.

WHICH MOTION PREVAILED.

Mr. Pollock:

Just one quick item. I'd like to publicly thank Fire Chief John Leahy for amending his policy regarding permitting

the firefighters to sit outside the fire stations. It's my understanding that once the firefighters have fulfilled their duties and responsibilities that they are now permitted to sit outside and I congratulate Chief Leahy on this and I thank him for his courage. It takes a lot of intestinal fortitude to change ones policy in light of public opposition. I thank him for that.

Mr. Wagner:

Mr. President, I'd like to comment on that also. I spoke with Chief Leahy privately about that a week ago and I was very pleased to see that he did respond to the overwhelming desires of the firefighters and what appeared to be the desires of the public also. I think that showed good character on his part and it obviously improves harmony and morale within the Fire Bureau.

The Chair:

I'd like to make a comment on that also. I think before he gave such a directive he should have researched the subject and as far as they can sit outside after all their duties are finished, I'm sure they did that anyway. I respect Mr. Pollock and Mr. Wagner's opinion for thanking him for rescinding his order but I don't because he shouldn't have given it to begin with.

Mr. DePasquale:

Whose idea was it for the yellow ribbon? I think that's what did it.

Michelle Madoff:

Mr. President, I raised the issue earlier about Mount Washington and I have before me a letter that should be distributed to all my colleagues. It's addressed to Mr. Gaetano from Jane Downing, it's dated August 20, 1985, and

it addresses the issue that I raised that Grandview Avenue is going to be part of Downtown and as such should have the electric wiring put underground. I think it would be a horrendous imposition on the businesses up on Mount Washington and the residents if we put in a waterline in July. And do you know when July is? Less than two weeks away. It would be impractical at this time and we don't find the money to put the electrical wiring in at the same time. I don't know who is dealing with this, everybody is passing the buck. Lurcott is passing it to McDermott, McDermott to Gaetano and Gaetano back to Planning and Planning is supposed to have taken care of it some time ago. We cannot permit that waterline to go in and then six months later dig that street up again. The cost to the taxpayers is too horrendous.

I want an answer. What do we do about it? Whose department is it? Who will take care of it or do I have to call a post agenda on it?

The Chair:

Call a post agenda.

Michelle Madoff:

Post agenda this Wednesday.

The Chair:

You already have two this week; you'll have to make it the following week.

Michelle Madoff:

We don't have time. They're going to dig up the street.

And on the motion of Mr. O'Malley

Council adjourned.

Municipal Record

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Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, June 30, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. DePasquale presented

No. 1053 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in

connection with the design for increased illumination in Market Square at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account PW 83-26.

Which was read and referred to the Committee on Engineering and Construction.

Mr. DePasquale moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 1054 Resolution providing for the issuance of a warrant in favor of Gamefield in the amount of \$1,640.00 covering shipping and handling charges on a Fitness Course donated through a grant from the National Fitness Campaign and West Penn Hospital, payable from Code Account CDEC 85-60.

Also,

No. 1055 Resolution providing for the issuance of a warrant in favor of Middle States Construction Company, in the amount of \$111,772.71 in payment of Extra Work, being in addition to the original contract price of \$5,698,500.00 on Controller's Contract No. 26815,

furnished for the benefit of the City in connection with the Reconstruction of the Bloomfield Bridge - Phase III, payable from the Bloomfield Bridge Trust Fund.

Also,

No. 1056 Resolution providing for the issuance of a warrant in favor of Conn Construction Company, (Converse Branscome, Jr., President), in the amount of \$37,205.64 in payment of Extra Work, being in addition to the original contract price of \$2,536,174.03 on Controller's Contract No. 27563, furnished for the benefit of the City in connection with the Reconstruction of the Pennsylvania Avenue Bridge and Roadway, payable from the Pennsylvania Avenue Bridge Trust Fund. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on Finance.

Also,

No. 1057 Resolution further amending Resolution No. 1283 of 1985, entitled: "Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program," by creating a new line item and adjusting the Summary Totals. This amendment will provide the necessary allocation for the Improvements to the Department of Public Works' Second Division Building on Second Avenue.

Also,

No. 1058 Resolution amending Resolution No. 390, effective April 30, 1985, entitled: "Providing for an Agreement or Agreements or Contract or Contracts, for engineering and construction services in connection with

the Design and Construction of the Main Salt Storage Dome; and providing for the payment of the cost thereof," by amending the title to include the Satellite Salt Domes and by increasing the total project allocation from \$350,000.00 to \$550,000.00, chargeable to and payable from EC 85-23 - \$350,000.00 and EC 86-26 - \$200,000.00.

Also,

No. 1059 Resolution amending Resolution No. 395, effective May 13, 1986, entitled: "Providing for a Contract or Contracts, or use of existing Contracts, for the fabrication and erection of a Modular Office/Maintenance Building for the Department of Public Works' Asphalt Plant; and providing for the payment of the cost thereof," by increasing the total project allocation from \$115,500.00 to \$190,000.00, chargeable to and payable from Code Account EC 86-30.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 1060 Resolution amending Official Sewage Facilities Plan of the City of Pittsburgh by adding a corrective action plan and schedule for Saw Mill Run.

Which was read and referred to the Committee on Public Works.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Grabowski presented

No. 1061 Resolution providing for the issuance of a warrant or warrants for payment in the amount of \$11,615.88 in favor of Digital Paging Systems, Roman Kozak, Regional Manager, for the rental of paging equipment, payable from Code Account 1132-2, Telephone Services and Equipment, Department of General Services.

Which was read and referred to the Committee on Finance.

Also,

No. 1062 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of Compressor, Paving Breaker, Chipping Hammer, Vibratory Roller & Accessories for the Department of General Services at a cost not to exceed \$16,000.00, chargeable to and payable from Code Account (SD 84-01), Miscellaneous Equipment for City Departments.

Which was read and referred to the Committee on General Services.

Michelle Madoff presented

No. 1063 Resolution providing for the transfer of \$372,000.00 from Miscellaneous Services, Code Account 1922 to the Department of General Services, Rental of Motorized Equipment, Code Account 1154-1, Department of General Services. The transfer will cover the lease payments for the Water Department's vehicles which total \$200,000.00 and for the lease payments of the new 800 mhz radio system, which total \$172,000.00.

Which was read and referred to the Committee on Finance.

Also,

No. 1064 Resolution providing for a Contract or the use of existing Contracts for the repair of the boiler at the Mission Street Pumping Station at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1922, Miscellaneous Services.

Which was read and referred to the Committee on Water.

Mr. O'Malley presented

No. 1065 Resolution increasing the bonded indebtedness in an amount not to exceed \$250 million in order to refund outstanding City bonds and to raise \$50 million for the City's Capital Construction Program.

Which was read and referred to the Committee on Finance.

Mr. O'Malley moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 1066 Resolution providing for an Agreement or Agreements for specialized professional services in connection with actuarial services including but not limited to costing of labor demands in the areas of pensions and health, vision, dental care and life insurance benefits, testifying at arbitration proceedings, as necessary;

advising the City's bargaining team during negotiations at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 1067 Resolution authorizing the Mayor and the Director of the Commission on Human Relations to make application for, and accept a grant from, the U.S. of America, Equal Employment Opportunity Commission (EEOC); providing for execution of payment vouchers, and creating a Special Trust Fund in connection with the EEOC-706 Project.

Also,

No. 1068 Resolution authorizing the Mayor and the Director of the Commission on Human Relations to make application for, and accept a grant from, the U.S. Department of Housing and Urban Development; providing for execution of payment vouchers and creating a Special Trust Fund in connection with the HUD/FHP Project.

Also,

No. 1069 Resolution Repealing Res. No. 465, Item J, approved June 3, 1986, which authorized the sale of property in the 25th Ward, being 2 - 3 Story, Brick buildings, located at 1726-28 McCullough Street, designated as Block 22-H, Lot 106, to Stephen R. Cafaro, for the sum of \$1,800.00. The reason for the above Resolution is that the Bureau of Building Inspection deemed it necessary that the building be razed. The purchaser is not interested in the purchase of the land, only, and wishes his hand money refunded.

Also,

No. 1070 Resolution amending Res. No. 331, Item A, approved April 23, 1986, which authorized the sale of property in the 8th Ward, being a 2-1/2 Story, Brick house and a 1 Story Brick garage, located at 110 S. Fairmont Avenue, designated as Block 50-S, Lot 55, to James L. Campbell, for the sum of \$2,500.00. The reason for the above Amendment is to correct the lot size from 31.99 to 31.39. Resolution should read: Lot 31.39 X 99.97 X 35.08.

Also,

No. 1071 Resolution providing for the filing of a petition or petitions for the sale of property as described in the attached Resolution, acquired at tax sales in accordance with Act No. 171 of 1984, effective 12-11-84.

Also,

No. 1072 Communication from Melanie J. Smith, Director, of Personnel, requesting permission for Dave Farley to attend the regular meeting of the PA. Service Delivery Area Association in Harrisburg, PA on July 24, 1986, at a cost not to exceed \$350.00, payable from the JTPA-1 Trust Fund.

Also,

No. 1073 Communication from Raymond E. Johnson, Jr., Deputy City Controller, requesting permission for Michael Parks, Audit Manager, to attend a Seminar for Internal Auditing for Government to be held in Hartford, Connecticut, August 4-5, 1986, at a cost not to exceed \$850.00, payable from Code Account 1048.

Which were severally read and referred to the Committee on Finance.

Michelle Madoff:

Mr. President, Point of Personal Privilege. From Robert's Rules, page 68, I am very upset that I have been asking for two years to do something about the immediate draft that is hitting Linda Johnson, Assistant City Clerk, and myself. Sophie and I have been ill. Maybe the gentlemen wearing heavy jackets are not as susceptible to drafts.

It says on page 68 that a member of Council is allowed to raise a question of personal privilege and the subject can be the comfort of its members, the heating, lighting and ventilation, etc., of the hall.

I resent looking like an idiot on the camera running back and forth to the air conditioner. It is cool out, we could open a window and we could turn that draft down.

Mike Perry and I have been trying to get Mr. Fisher to come to this room and change the vents just by closing them off here and leaving them open at the other end. The room would still be cool and we would not have the immediate draft on our heads.

Last week I went to the doctor; I have swollen glands again. I've had a cold, I am constantly ill because of that draft on me. This has gone on for eight years. I know you want to get rid of me but I think that my lawyer will have to deal with this problem.

I would respectfully request that the President of this Council insist that Mr. Fisher get here and do something about the draft. I could sit over there with the media; the draft doesn't hit them. I'd be delighted to sit over there and you may address me from there. But I've got to do something about this problem.

The Chair:

Let me tell you something. Every other member of this Council and everybody else in this room is comfortable. I see young ladies, I see Linda Johnson, our steno, everybody else in this room is comfortable. I will ask Mr. Fisher to try to accommodate you but the air conditioning will be on. It is very hot and muggy outside and if you want to have your attorney call me, please feel free to do so.

Michelle Madoff:

May I respond?

The Chair:

No you may not.

Michelle Madoff:

Miss Johnson has also complained of the air conditioning. It's not just me.

The Chair:

You are out of order.

Michelle Madoff:

I think the people watching know what you're doing. I think the message is getting out very clearly.

The Chair:

You are fined.

Michelle Madoff:

I'm always fined, Ben.

Mr. Wagner presented

No. 1074 Communication from John Norton, Director, Department of Public Safety, requesting permission for

Deputy Director Glenn Cannon to travel to Harrisburg, PA on June 21, 1986 to attend the Pennsylvania Emergency Health Services Council, at a cost not to exceed \$60.00, payable from Code Account DPSTPP. Use of a City vehicle is requested. (PRIOR APPROVAL GRANTED)

Also,

No. 1075 Communication from John Norton, Director, Department of Public Safety, requesting permission for Detective Sal Crisanti to attend an IAI Conference in Wilkes-Barre, PA on June 26-27, 1986, at a cost not to exceed \$250.00, payable from Code Account DPSTPP. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on Public Safety.

The Chair presented

No. 1076 Petition from the residents of the City of Pittsburgh, requesting a public hearing regarding the possible closing of No. 8 Police Station.

Also,

No. 1077 Communication from Ronald C. Schmeiser, Director, Department of Finance, submitting a report of deposits and market value of collateral security pledged by City Depositories to secure same as of May 31, 1986.

Which were read, received and filed.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1078

Report of the Committee on Finance for June 25, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 982

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sonitrol of Pittsburgh in the amount of \$2,050.00 in payment of the installation and phone line drop charges for an electronic security system at South Side Skating Rink; and providing for the payment thereof."

Which was read.

Also,

Bill No. 983

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pugliano Construction Company (Angelo J. Pugliano, President) in the amount of \$15,356.00 in payment of Extra Work being in addition to the original contract price of \$739,000.00 on Controller's Contract No. 27222, furnished for the benefit of the City in connection with the Pittsburgh Zoo, Phase 4.1: Plaza, and providing for the payment thereof."

Which was read.

Also,

Bill No. 984

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Vern's Electric (Marlene Gillenberger, President) in the amount of \$2,128.26 in payment of Extra Work,

being in addition to the original contract price of \$12,990.00 on Controller's Contract No. 27768, furnished for the benefit of the City in connection with the Emergency Medical Station No. 1; and providing for the payment thereof."

Which was read.

Also,

Bill No. 985

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of F.A. Beto, Inc. (F.A. Manfredi, Jr. - President) in the amount of \$10,672.00 in payment of Extra Work, being in addition to the original contract price of \$176,165.00 on Controller's Contract No. 27769, furnished for the benefit of the City in connection with the Emergency Medical Station No. 1; and providing for the payment thereof."

Which was read.

Also,

Bill No. 986

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Clarence Lutch & Son, Inc. in the amount of \$5,488.48 in payment of Extra Work, being in addition to the original contract price of \$523,433.00 on Controller's Contract No. 27492, furnished for the benefit of the City in connection with the General Construction of the Noblestown Road Fire Station No. 29; and providing for the payment thereof."

Which was read.

Also,

Bill No. 991

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$10,000.00, payable to Alice Karabasz, c/o Jonathan E. Jones, Esquire, 322 Boulevard of the Allies, Pittsburgh, PA 15222, in the full settlement of a claim for personal injuries and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 992

A Resolution entitled, "Resolution providing for the acquisition from Alex Kolas D/B/A Kolas Brothers of certain property in the 15th Ward, City of Pittsburgh, for the development of a tot lot and providing for the cost of the payment thereof."

Which was read.

Also,

Bill No. 993

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The Prudential Insurance Company of America-Prudential Asset Management Company, Inc., for professional services in connection with the administration of the Deferred Compensation Plan for City of Pittsburgh personnel, at no cost to the City." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 1079

Report of the Committee on Planning, Housing and Development for June 25,

1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 996

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for erection of a four-story and mechanical penthouse addition to the rear of the existing Western Psychiatric Institute and Clinic Building on property zoned "I-C" Institutional-Civic District located at O'HARA and DESOTA STREETS, 4th Ward."

Which was read.

Also,

Bill No. 1027

A Resolution entitled, "Resolution amending Resolution No. 629, effective July 17, 1985, entitled: 'Providing for an Agreement(s) with Consultant(s) to assist the City improving its Citizen Participation Process and providing for the payment of the cost thereof.'"

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 1080

Report of the Committee on Parks and Recreation for June 25, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1000

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the 15th Ward Volunteer's for professional services in connection with their Summer Football Program, at a cost not to exceed \$1,500.00; chargeable to and payable from Code Account No. 1838, Miscellaneous Services, (Index Code 183806), Department of Parks and Recreation; and transferring \$1,500.00 from Code Account No. 10, Accounts Payable Prior Years, (Index Code 001008) to Code Account No. 1838, Miscellaneous Services, (Index Code 183806), Department of Parks and Recreation."
—(SPONSORED BY MR. WOODS)

Which was read.

Also,

Bill No. 1026

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for Professional Landscaping Services for 1986, at a cost not to exceed \$3,500.00 and transferring the sum of \$3,500.00 from Code Account 10, Accounts Payable Prior Years, (Index Code 001008) to Code Account 1838, Miscellaneous Services, (Index Code 183806), Department of Parks and Recreation."
—(SPONSORED BY MR. POLLOCK)

Which was read.

Mr. Pollock:

On Bill No. 1026, I'd like to publicly thank the President for permitting this legislation to go through. As you may recall, this is for the creation of a parklet in Squirrel Hill and it will be named after the Rabinical student who was shot and killed in Squirrel Hill. So, I'd like to thank you for allowing this to go through.

I also wanted to publicly apologize to Mrs. Masloff for not knowing that it went through her committee because if I had she would have co-sponsored this. I did not know the procedure and I apologize to her.

Mrs. Masloff:

I accept your apology.

Michelle Madoff:

Mr. Chairman, may I address my colleague, Mr. Pollock?

The Chair:

Yes you may.

Michelle Madoff:

Thank you, sir.

Mr. Pollock, in addition to the landscaping of the Hillel Academy, there appears to be a problem with the driveway in discharging children from busses and cars that needs to be included. Presently the busses and cars stop on Beacon Street in front of the school and all traffic must stop and the situation is unsafe. Do you think this could be addressed with the Hillel Academy since you're so graciously working with the conservancy to get the landscaping done?

Mr. Pollock:

Yes.

Michelle Madoff:

It would be greatly appreciated by all concerned including the Hillel Academy. Would you report back as to what is happening, please?

Mr. Pollock:

Yes.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 1081

Report of the Committee on Public Safety for June 25, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 966

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Safety to extend the sick leave of Police Officer Thomas O'Donnell for a period of fifty (50) days in an amount not to exceed \$5,160.00." —
(SPONSORED BY MR. WAGNER)

Which was read.

Mr. Grabowski:

Mr. President, last week, as I recall from the Wednesday Committee Session, there was supposed to be a written report from the Law Department relative to the City's position. I guess no one has received it.

The Chair:

No, there's been no report and I think, in my opinion, we gave them more than ample time to respond to our request and I would suggest we just pass the legislation.

Mr. Grabowski:

I tend to agree with you, Mr. President. Last week I was the one responsible for holding this a week to let the Administration respond and obviously they don't want to or for some reason they've chosen not to. I think, even though this is something perhaps out of the ordinary, in light of the written testimony that was presented and the oral testimony that was given at the Committee Session relative to this particular officer, I think that we should move forward with this and approve it. It is an unusual circumstance.

The gentleman, from what I've been told, wouldn't go on vacation, never used his sick time for 12 years or so, and I think that those kinds of employees deserve to be rewarded. They're certainly few and far between and I would hope that the Administration would go along with this, should Council pass this, and I'm sure that we will.

Michelle Madoff:

It is very interesting to me and I'm sure to my colleagues that when the Administration chooses we get responses and when they choose not to we do not get responses. My office received a response, and I'm sure the rest of Council did, with reference to the proposal to donate \$50,000 to the auspices of the Salvation Army. We did get a response to it which I disagree with but we can get into that at another time. But it's a matter of being selective responses.

I think it's interesting that the President of our Council, while I agree with him completely and with Mr. Givens and Mr. Grabowski and other members, that we should take the lead and indeed appropriate the funds for this gentleman. I think it's interesting that if it's something that the President or other members wish to do we will proceed with it. I can assure this Council that if it's something Michelle Madoff wanted to do and it wasn't uniform agreement, particularly the President of this Council, it would not fly and I have a bill coming up shortly that was shot down once before that I think will fly the next time. This has happened and I can document them and of course if I say anything I will be fined but when Mr. Pollock made a smart remark he was not fined. That was a comment for the record.

On the bill, I would certainly ask the question that I asked last time. That bill was prepared to amend the procedure. It was suggested that we amend the procedure in the future that sick days, personal days, can be used and saved up for people such as this gentleman, if you don't use them in a given year they can be accumulated. We were asking to have that procedure changed. Was there a letter sent to that effect?

Mr. Perry:

As of this day, no.

Michelle Madoff:

Would you please see that Mr. Pat McNamara and Mr. Norton, the Mayor, and certainly the President of this Council, and all of my colleagues, get a copy of the recommendation that we, and I believe this was the opinion of the Council last week, that they be allowed to accumulate their days so we're never

confronted with this situation again, so that it would be just a matter of pro forma where someone who has saved their days and hasn't used their days, they wouldn't have to be put through the embarrassment. I think this person who has been an outstanding officer should not have to be the discussion of these Council meetings repeatedly. It is unfair, unjust and humiliating. And I for one, of course, am going to vote to support his extension of sick leave.

I am afraid that the Administration is going to perhaps veto it and that brings me to the point which I started to say and I was ruled out of order, and that is that we get a discretionary opinion. This Council has set aside dollars for consultants and I would think that it would be appropriate immediately and I make that in the form of a motion to have an attorney representing this Council when we get what I expect we will get from the Administration denying payment to this officer to justify the fact that legally we are on solid ground and can indeed do what Mr. Woods has stated that if you give them better than what is negotiated they were allowed to give it to an employee but we cannot take something away. I think we need someone who is familiar with arbitration law to represent the will of this Council which doesn't appear to be, at this moment, the will of the Administration. Should the Administration concur, then we don't need to take any action. Should they disagree, we should have a counsel of our choice ready to represent our viewpoint. That is in the form of a motion.

The Chair:

It cannot be a motion; there's already a motion on the floor.

Michelle Madoff:

Then I will hold it until it is appropriate.

Mr. Wagner:

Mr. President and members of Council, in regard to Bill No. 966, I would appreciate if my comments were brought forward for the record.

(BEGINNING - MR. WAGNER'S
REMARKS ON BILL NO. 966 -
WEDNESDAY, 6/25/86)

Mr. Wagner:

Mr. Chairman, I would like to ask the Chairman of the Health and Welfare Committee of the FOP to come to the table and maybe he could comment on the letter and summarize it, Mr. Gabe Coheres.

Mr. Coheres:

Members of Council, in the past 18 years, I have been Chairman for the Health and Welfare Committee for the City of Pittsburgh and in all these 18 years, we only submitted about four request such as this to Council and if you would read the letter, it is self explanatory. Here is a police officer for 12 consecutive years hasn't used one sick day and he lost sick days on the other end of it. For five years he didn't take a vacation for some reason or other and he lost 125 days vacation. He is incapacitated with a stroke at this time and he is in the hospital. He exhausted all his sick leave and I feel in special cases which the City Ordinance is self explanatory right here, it tells you that "extension of sick leave can be given in special cases." This is really a special case and if you read the letter, I think it is a very special case and I feel that this resolution should be passed.

Mr. Wagner:

I would just like to comment on Mr. Coheres comments. I agree with him as Chairman of Public Safety Committee; there maybe some difference of opinion and I know infact that our Legal Department has indicated that we not approve this. Whether or not there is anyone here that from our Legal Department, I don't know. I requested that someone be here today —

THE CHAIR COMMENTS

Mr. Wagner:

No, I am not. I spoke with Mr. Pellegrini yesterday and he indicated that he or possibly a representative would be here to comment on it today, however, they did indicate from a legal point of view, that we should not set a presedence by doing this. I indicated to him that we had done it in the past on very isolated special situations and this is a special situation where we had an employee who has not utilized sick time, vacation time and infact know that there are employees that abuse that in the city. This individual has fallen upon very unusual circumstances and the extention of that sick time I beleive should be considered and should be approved by Council. However, as indicated in the ordinance, not only must Council approve that, but the Administration must approve it also. So therefore I think it is important to note that I would hope that this Council would unanimously approve it and let the Administration know that we would like to see them support it also.

Just one final comment. I think there is a need however, for us to develop some criteria where special exceptions like this exist and so that in the event a case like this comes infront of Council sometime in the future we

have some criteria by which to evaluate such as that an individual does not utilize their sick time or does not abuse their sick time in the past; by doing that I beleive that we would be creating an incentive to our employees to not utilize their sick time if they don't need to utilize it and possibly at some future date if they fall upon some very unusual circumstances from a health point of view and they are off ill and they are off sick for an extended period of time, that we could reconsider their position and grant some extra time until that person is back in shape and come back to work or terminate their employment and go off a pension. So I think there are two issues here. I think it's the individual issue with Officer O'Donnel and I think there is a need to set some type of criteria by which we can qualify people for this in the future.

Mr Chairman if I may just make one final comment and also a question. My question to the Administration is and I don't know if this should be proposed to the Law Department or Public Safty Department. First of all, this information provided to us is accurate. This individual has not been off sick for 12 years in a row, is that correct?

Director Cannon:

That is correct.

Mr. Wagner:

The individvual did not take any vacation time. I think it is important to know that because it is a very unusual situation where any employee in this city goes 12 years without missing because they are sick. Obviously, everyone is sick in a 12 year period; they wake up in the morning with a fever or the flu or a headache or whatever and they do not want to go to work and obviously this individual has the self initiative and the

pride in his occupation as a police officer that he overcame those physical elements and came to work. Not only that, did not utilize vacation time. And to follow up with Councilwoman Madoff and my earlier comment, there is a need for us to I beleive to become more innovative in our labor/management agreements. Just as they do in professional sports, they build an incentive clauses and an incentive clause could be that if an individual did not miss work for five years, that they would qualify under unusual circumstances such as this. I don't think we can write that into legislation, I think it has to be negotiated in the labor/management agreements; but I beleive there is a need to do that and I fully support making a special exception here for Officer O'Donnel.

(END OF REMARKS)

Mr. Wagner:

I would just like to state real briefly, there's been a lot discussed so far in regard to this piece of legislation and this exception that is being made for Officer O'Donnell. However, as indicated at our Committee Meeting, this is a special exception where an individual has gone 12 years without taking a sick day, 5 years without vacation, and actually this individual should be receiving an award for doing this.

This legislation that we're passing here today is simply extending the sick leave an additional 50 days. If you accumulate it over a 12 year period, the person accumulated well over 100 days. We're really not doing anything, I think, real unusual except that this Council is making an exception where an exception should be made. However, it must be stated that in order for this officer to receive this, the Administration must

agree. So, I would hope that they would agree, an exception would be made, and that in the future somehow we create incentive clauses in our labor management agreements for people that work as hard and as long and as well as this officer has.

Mr. Givens:

I'd like my remarks to be brought forward from Wednesday.

**(BEGINNING - MR. GIVENS' REMARKS
ON BILL NO. 966 - WEDNESDAY,
6/25/86)**

Mr. Givens:

I would like to say that when a police officer in relation to his duties and especially Officer O'Donnel here much of what happens to a person health is directly related to the job that individual is performing. All of us know from even the reports that we recieve here on disability within the city that for both pur police and firemen, that the heart is a primary factor, stress, all of us know is a great factor in this. It doesn't take any of us to be a doctor here to understand that a person has a stroke at a relatively young age, it is generally occupation related. Had the officer had this on the job in the process of apprehending somebody, he would probably been covered under the normal compensation; the fact that he was not on the job at the time and was probably home or off duty, he was not covered by compensation which is very unjust because I look at the ideal that an officer on or off duty if it is associated with the job related that he should be covered fully under compensation rules; and the fact that this tragedy happened so quickly and that there are children involved and he is incapacitated. I think the only just, knowing how he had served this city for 12 years not taking one day

of leave time, has to indicate to all of us and I plead as well as our President and our Chairman, Jack Wagner, for the Administration, regardless of what it takes legally for us to draft something up. I feel that this legislation is appropriate and if something else has to be done legally to make it appropriate in the eyes of the Mayor and our Solicitor, City Solicitor, let them come forward between now and Monday and present that to this Council so that we can have justice be served. It's not an avalanche that going to be coming before us. I think Gabe, for 15 years, he has indicated that only two or three cases have ever came before the Council for particular approval.

And I think we have justice served here and I would hope that not only this Council, but everyone in the Administration would get their shoulder behind this and let's get it approved even if it requires an amendment to some state laws.

Gabe, can you express to Council here if this is not passed either by this Council or because of legal opinion what the impact is on the family? Apparently he has ran out of his sick time, what happens now, he gets no time? Is he still carried on the rolls as a City Police Officer?

Mr. Coheres:

He has carried on the role of not getting paid; in other words not receiving anything at all.

Mr. Givens:

If this incident had happened while he was on the job what would have been the status of this individual?

Mr. Coheres:

He would have been put on Workmen's Compensation and the city would have been liable for him for life.

(END OF REMARKS)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff:

Excuse me, sir, would it not be appropriate now to have a motion that if the Administration decides not to go with the wishes of Council, which are unanimous but we're prepared to defend the position that Mr. Wagner has stated. This is a man who has accumulated 100 days and we believe that it is in keeping with the law because you can get two opinions on anything.

The Chair:

Well, I understand your feeling but I would not accept the motion because in

the City Code it is a joint effort by this Council and by the Administration. So what we have to do, even if they come back and do not approve it, we could not sue, we could not counteract their legal opinion; we have to change the Code.

Michelle Madoff:

Thank you, Mr. Chairman.

Mr. DePasquale presented

Bill No. 1082

Report of the Committee on Engineering and Construction for June 25, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1009

A Resolution entitled, "Resolution amending Resolution No. 211, effective March 21, 1985, entitled: 'Providing for an Agreement or Agreements with Mackin Engineering Company (Italo V. Mackin, President) for Construction Inspection Services in connection with the Bloomfield Bridge Replacement - Phase IV; and providing for the payment of the cost thereof,' by providing for a Supplemental Agreement or Agreements and by increasing the total project allocation by \$45,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mrs. Masloff and Mr. Woods present

No. 1083 WHEREAS, Craig Badami is a nationally recognized ski enthusiast from Utah's Park City who has distinguished himself on and off the slopes; and

WHEREAS, Mr. Badami and the Park City Ski Area have stood in the forefront of fostering the growth of skiing among the mentally retarded; and

WHEREAS, because of Craig Badami's efforts and hard work, the Special Ski Olympics has grown significantly over the past few years, leading more and more of the mentally retarded to join the ranks of people who love to ski; and

WHEREAS, sports programs for those with special considerations enable participation for people who otherwise would miss the vigorous pleasure and refreshing joy of athletic activities.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do

hereby welcome Craig Badami of Park City, Utah, to Pittsburgh and commend him for his outstanding work with the Special Ski Olympics.

Mrs. Masloff moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

The Chair presents

No. 1085 WHEREAS, on Friday, May 30, 1986, and for several days after, neighboring communities north of Pittsburgh experienced severe flooding which caused injuries and loss of lives, ruination of homes, damage to commercial properties, and hazardous conditions along roads and highways; and

BECAUSE, Public Works crews from the City of Pittsburgh and the County of Allegheny joined forces to combat these disastrous conditions by preventing further flooding, restoring vehicle access to the area, and helping in the extensive cleanup operation in the days following the initial flooding; and

WHEN, County Works Director, Joe Moses, called upon the City's Public Works Department for help, Director Lou Gaetano personally dedicated time, expertise, and departmental resources to this intergovernmental cooperative effort; and

SINCE, the tremendous around-the-clock work performed by all involved, from Directors to laborers, is a reason for the City of Pittsburgh and Allegheny County to celebrate this spirit of cooperation and concern.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do

hereby commend Directors Joe Moses and Lou Gaetano and their respective Public Works Departments for outstanding response to the local flood disaster.

Mr. O'Malley moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. O'Malley presents

No. 1084 WHEREAS, the City of Pittsburgh is currently rated "The Most Liveable City in the U.S." in the Rand-McNally Places Rated Almanac; and

WHEREAS, residents of the City and the metropolitan area have taken great pride in this honor, which is as much a tribute to the people of Pittsburgh as it is to our stunning natural setting of rugged hills and river valleys; and

WHEREAS, Pittsburgh was also selected for its across-the-board strength in areas such as education, health care, safety, cultural amenities, and housing; and

WHEREAS, Pittsburghers should promote this important distinction which publicly announces what we have all privately believed for many years.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby urges the Administration to add the words "Most Liveable City in America" on all letterhead stationery.

BE IT FURTHER RESOLVED, that the Council of Pittsburgh hereby invites all City residents and business to follow suit.

Mr. O'Malley moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Michelle Madoff:

Discussion. It seems to me that the last time we did something like that, we billed ourselves as the City of Champions, and we haven't won anything since. I think it might just be a bad omen to put on our stationery, as suggested, Most Liveable City. Certainly we would not want to take back all the stationery that's out. Any of us can get a stamp made and if we wish to add that to our stationery we can respectfully do that on a one on one basis. If we want to put it on because we think we're the most liveable city, that is at the will of Council. But I think it might just be a bad omen since the last time we did it we haven't won anything since. I think it's something to think about.

Mr. O'Malley:

In 1980 I put the resolution in to have the logo on the bottom of our stationery, the City of Champions, because at that time the Steelers were coming off four Superbowls in the '70s and the Pirates were contenders and the University of Pittsburgh won the championship. So, I think that was very appropriate at that time. I think we were all proud of our sports teams. But those titles have to be earned and until our sports teams reclaim those titles and I'm sure they will in the late '80s, I think now it's appropriate to change the logo and Rand-McNally has given us the opportunity because we are the most liveable city in America. I think many people in this City worked hard towards that title, I think we earned it, I think we deserved it, and I think we should brag about it and I think it should be on the

bottom of our stationery that Pittsburgh is the most liveable city. And maybe like our sports teams, it's a title that we're going to have to continue to work hard for in the future to keep that title. If somebody can take that title off of us, then obviously they deserve it. But until they can take that title off of us, I think we should display it and we should be proud of it.

Mr. Pollock:

I have no problem with the resolution; I would just like to point out that there have been other logos, and I think Mayor Caliguiri was involved with the big pronouncement to have the City be called the City with a Smile and the City with a Smile on its Face and there's Pittsburgh Someplace Special and the City of Champions. So, I would just ask that a little caution, that before we start printing anything up, that we make sure, we determine exactly what our nickname or slogan should be. I personally prefer the Most Liveable City; whether its designated that by any organization or publication or not, we can still claim it. So it's not like the City of Champions where if you lose the game you're no longer champion. We're still the most liveable city no matter whether we're designated that by some publication or not.

So, I would support this with a little bit of caution to make sure we're not stepping on anybody's toes like the Chamber of Commerce or something like that.

Mr. Wagner:

Mr. President and Councilman O'Malley, I agree with the promotion of the City, I think its a great idea. However, there has been one logo adopted about six months ago by the Pittsburgh Convention and Visitors

Bureau which is being utilized by them and the logo and the wording is, Pittsburgh's the One. I know they have been putting that on stationery, they have been putting it on signs; they've been putting it many places, I believe, in terms of advertisement around the country. I don't know if we want to come up with a logo that's different from one that's already being utilized. I think it's important that we have a logo; the question is, which one. That's something that has to be agreed upon.

Mr. DePasquale:

Could we amend it to say, except after rock and roll shows?

Michelle Madoff:

My question really to Mr. O'Malley was, I would hope that we would not destroy the existing stationery and put that additional burden on paying for that cost because we have thousands and thousands of reams of stationery already printed up. That's why I suggested if you want to add that, I have no problems, but get a stamp made up.

Mr. O'Malley:

I'm in agreement with a lot of my colleagues. I'm not sure what Pittsburgh the One really designates; the one what? Maybe it's the one most liveable city in the country. I'm only saying, the City of Champions, like anything else, its a title that has to be earned and unfortunately our sports teams haven't earned it in the past few years. The City of Champions, that logo we have earned. I think all of us have earned it, I think we've all participated in making Pittsburgh the number one City, not just this Council but businesses and our laborers and our taxi drivers and everybody else that lives in this City. I think it would be very appropriate to

brag about it a little bit.

The Chair:

All those in favor? Opposed?

Mr. Wagner:

I abstain.

WHICH MOTION PREVAILED.

Mr. Givens:

Mr. President and members of Council, I think the incident that happened over the weekend has to be discussed here. As you're representative on the Auditorium Authority, I asked Jim Kessler, our Executive Director from the Auditorium Authority which includes both the Convention Center and the Civic Arena to give me a preliminary report as to what happened at that particular facility which is jointly owned, as all of us know, between the City and the County.

Jim indicated that he talked with the Vice President of Finance at the Civic Arena and that they had seven times the usual security forces and the concert was scheduled to end at 11:00 p.m. but ended at 10:45 p.m., as some indicated, a little bit early but not that early. It was scheduled to start at 8:00 p.m. and the show got underway at 8:01 p.m. There were a few rowdy residents in the Arena but nothing out of the ordinary. When the doors were opened for the kids to leave, they just ran out in kind of a mob type of scene. That's the report from the Civic Arena.

With your permission, Mr. President, I would like to call a post agenda this coming Wednesday because of the urgency of it and the outcry from our citizens of the City of Pittsburgh wanting some resolution as to what's

going to happen in Pittsburgh next. It's not just a police issue; it goes much deeper than just a police issue.

So with that, Mr. President, I'd like to call at this post agenda various department heads to discuss what had happened in this situation and others in Downtown, including that of Public Safety, Planning Department and Public Works, all dealing with crowd control in a certain arena. Call in the Executive Director of both the Stadium and the Auditorium Authority and also request that the people who run the Syria Mosque be present because I think they're the three arenas where this type of events do happen within the City of Pittsburgh. I don't think Heinz Hall brings in these particular groups, to my knowledge; if so, then we'll ask them to be here.

I also would like major university input and I'll elaborate on that a little bit later, input from various community leaders because this is not a Downtown problem. It affects, I feel, the leadership of all of our areas and that leadership reflecting to the parents of the children who attend these particular events. Naturally, the Golden Triangle Association is extremely involved and much of the restaurants and late after hour businesses are being affected by the image that is being portrayed. I'm sure the Mayor's Office would want to have someone to attend that particular meeting for the input that we get. There's probably one or two other groups that I omitted and if any Councilperson would be happy to supply them to myself or the Chief Clerk between now and Wednesday we can get this.

I think all of us know that it's just not a police issue; it's a psychological, sociology, and it deals in with our whole society and no one individual is going to be able to solve it. I don't know, Mr. President, if you want to chair that

particular post agenda it's alright by me. I think someone has to bring the various forces, the various movers of the City of Pittsburgh together so we can try to have some type of resolve and bring dignity to these particular events.

I just happened to be in Town when that particular issue happened. We were coming back from the Democratic State Committee. A bus load of some 43 people disembarked right out in front of our building right here at 11:00 that night and witnessed apparently one of the assaults that was right down by the parking lot across the street from this particular building. Naturally it happened so quick and most of didn't understand really what was happening. It was done and over with that very quickly. But the scene was definitely one of emotion and coming in at that late hour not knowing really what was happening, knowing that probably the Civic Arena had let out, we knew the ballgame was under progress, and it was a very frightening scene.

If any of you saw it on the local television that had the opportunity to be Downtown and take some of it, they were young people, they were well-dressed, and I think the majority of them were out just having a good time. I don't call them hoodlums or anything else. I think these were good kids that reacted in a certain way to an event that they had just attended. I think this is the core and this is what has to be looked into to find out where we can go. The Mayor and I don't know if all of you had looked at it or not, at the 12:00 newscasting indicated that he'll even go as far as stopping all of the hard rock concerts in the City of Pittsburgh. I think that's taking a very drastic step and one that might have to be taken. But I'm sure the Mayor's Office is working very hard to bring resolve to this and I feel that this Council as a body, elected by the people,

must also take their initiative to try to bring resolve to this particular problem.

Thank you, Mr. President.

The Chair:

We have two post agendas on Wednesday so we'll have to schedule this one for 1:30 or 2:00, and you'll have to chair it as President Pro tem because I will be flying out of town at 3:00.

Mr. Givens:

Fine.

Michelle Madoff:

Mr. President, in line with what my colleague, Mr. Givens, has just stated, you're absolutely right, Mr. Givens, I'm glad you were there. I think many of us were going to address the same issue. I'd like to take it from another perspective, although I would like to follow up on what you suggested. You might want to invite the fast food people who are very concerned about the impact on their business and the impact of what their business creates.

I watched it on the news and I have seen, as most of us do, letters to the editor where parents are writing how their children are being harrassed, threatened, frightened, because there is virtually no security of any substance at the Civic Arena at these games. You can smell marijuana, there's drinking going on, and nobody's paying for the security. I don't know who's from this committee who has not looked into that issue. I think that's basically where it starts.

I think you made a very valid point, Mr. Givens, when you said it was a reaction of the youngsters when they came out of the concert. It was a kind

of music, it was a stimulation, and who knows what kind of stimulation they had from alcohol and from drugs. They do not have proper surveillance.

But the issue goes beyond that. The issue goes to the public hearing, Mr. Chairman, that is scheduled, I believe, next Tuesday on the police officers. That issue addresses the fact that it is estimated by Mr. Pat McNamara of the F.O.P. that this year it is anticipated we are going to have the largest loss of police officers. We normally lose about 50 by attrition and we put on a class of 40. This year we're anticipated to lose 72 officers. We are not putting any classes on and we are and have been 102 police officers below the minimum security.

I am going to make a formal motion that we put on a referendum ballot the question to the public: Would you be willing to spend extra money for taxes if the money were guaranteed to pay for police officers? I will bet \$1000 to anybody's favorite charity that the public will support that referendum.

I don't think the Mayor has to be afraid of raising taxes for the purpose of police protection. We have too many vehicles laid up, we don't have enough vehicles to even have one police officer in cars circulating in the neighborhoods. I have no objection to one police officer in the car; that's not my issue. I'm not even going to second guess Mr. Norton because I'm not equipped to second guess him. But I know that before I got to this Council, and I think the only member would be Mr. DePasquale that would remember, and Sophie, that our Mayor, when he was a member of Council, I replaced him on this Council, his one and a half year unexpired term, was one of the strongest supporters of police officers.

I'm not saying that we should put on 500 officers. I'm not even going to be married to the figure of 102 which is the number below our minimum security. But I'm saying that if we're going to lose 72 officers, we better start this moment to put a class on to have more police protection.

I want to give you some statistics that you may or may not know. A survey a number of years ago by the Police Department showed that three out of four arrests are usually after a Steeler, a Pirate game, or the Regatta. For example, they're driving while intoxicated, arguing with police officers. Guess who these people are. Non-City residents. Another example of the kind of service that City taxpayers pay for in the debt service and the operating costs of our budget, not picked up by suburbanites. We know that three-quarters of the people going to the Pirate games and the Steeler games are non-City residents.

There has also been a suggestion that came to our office that most of the criminal mischief attributed to City residents could be avoided if after the rock concerts PAT busses would be rerouted to pick up the passengers at the Civic Arena instead of at their stops. This would avoid the convergence of youth in the Downtown area waiting for busses and the opportunity for vandalism.

I'm not sure that that's valid because many of the youngsters live within probably walking distance. It is obvious these youngsters were stimulated perhaps by the rock music as Mr. Givens has stated. It is documented by parents who have written letters to the editors that marijuana and police surveillance is practically non-existent at the Civic Arena. We never know, none of us have crystal balls, as to when a concert is going to break. You know, this concert

was cut short because of the nature of the concert. It was supposed to go for another half-hour or hour.

Mr. Givens:

No, I just indicated that —

Michelle Madoff:

My information from reading the media, and I always believe the media except when they're attacking me, is that indeed the concert was supposed to run longer and that one doesn't know when you're going to have somebody holding hostage in one part of the street and some other crime in action somewhere else. We just don't have enough police officers. It seems that the wheel that squeaks loudest is getting greased. We're taking police officers from one district, precinct, and putting them in another. We're stealing from Paul to look after Peter and we're just kidding ourselves. We need more police officers and we need to put it on a referendum to the public and let the public vote on that, that they would be willing to have their taxes increased to pay for the police. I repeat, \$1000 if that referendum were to fail. To any of the charities.

Mr. Wagner:

Mr. President and members of Council, on the same issue. First of all, I am pleased that my colleague, Councilman Givens, called a post agenda. If he wouldn't have, I would have. I would like, though, to add to that post agenda and even co-chair it with Councilman Givens if he so desires. I'd like to see Jack Kahn of the Golden Triangle Association, I'd like to see Justin Horan from the Chamber of Commerce, I'd like to see someone from the Port Authority in charge of security, a representative from the Civic Arena

Corporation, preferably Mr. Martha, the Stadium Authority, Director Norton, Chief Moore, and anyone else that would be pertinent.

All this entire morning, all I have done is take phone calls from angry citizens in regard to Saturday evening. It's ironic that our earlier resolution, and a very good resolution by Councilman O'Malley, truly doesn't reflect what this City went through this past weekend. It bothers me to a great degree because we should have been prepared for what happened in the City Saturday night. The key word is being prepared. The question is, were we prepared, and we were not prepared. We had a stadium where we knew fireworks were going to be a big drawcard, we knew the attendance was going to be high, it was 36,000, we knew we had a concert at the Civic Arena and we knew that same group a year ago caused a little bit of a problem and it attracts a crowd that may cause a little more trouble than normal. The question is, were we prepared. No, we weren't prepared.

We were sold a bill of goods when the Public Safety Department was created a year and a half ago and we were told that we were going to be prepared a year and a half ago for situations such as this. Well, it's a year and a half later and we're not prepared. It's gotten to the point where I think this Council has to do something about it.

When I read newspaper articles and I hear quotes from the Director of Public Safety saying the problem was the lyrics, the problem was, if we had it our way right now, if that band isn't out of town now we'd probably run them out of town. In other words, it was the band's fault, the problem that was created the other evening.

I can go on and on. Groups like this

are ruinous to the morals of our young people. Our young people have no business listening to the demands of destruction. I don't know what this band was all about but that certainly is not the position of this Administration to take, it's not the position of the Public Safety Department to take. Our position is to protect the public. If that group is legal, if they can perform at the Civic Arena, if we can have fireworks at the Stadium, we should be prepared to deal with them and anyone else or any other group in this City. It appears to me quite clearly that we're not prepared.

It's also stated in the newspaper article that we arrested all the people, 24 of them. There should have been 500 arrests the other evening. They should have filled the jails of this City with the people. There were at least 30 people admitted to the hospital; there were probably 100 others that didn't receive medical care at the hospital.

In talking with people that were in Downtown Pittsburgh, this City became a riot town Saturday evening. The question is, are we going to sit back and say, "Well, we shouldn't let these types of groups in Pittsburgh", that's not the issue here. The issue is being prepared to properly provide the safety that the taxpayer should receive. That was not done this Saturday night.

I personally have been complaining on this Council and have been requesting for an extensive period of time, and I know I've stated it repeatedly at the Stadium, at every entrance door at the Stadium we should have a K-9 dog with a police officer, before and after every event. The incidents going on at the Civic Arena have been going on for years. You can talk with anyone that goes to the Civic Arena, they know there's problems in those parking lots, there's car thefts, there's muggings in

the parking lots. The same thing goes on there.

Where are our K-9 dogs and the police that are assigned to them? We have 38. They cost \$4.00 a day, a K-9. There's no reason why this City should not have 100 K-9 dogs and we should be prepared at every event, prior to the event, to let the young people know walking in the doors that if they want to cause trouble then there's going to be a problem. They're going to be arrested. There's no greater deterrent to a person in a crowd than a K-9 dog. I don't care what anyone tells me, a K-9 dog can catch anyone. It's about time that the proper direction be provided in the Public Safety Department before and after these events and we're also prepared to respond. We're prepared to go into an area with 50 or 100 police officers and make the arrests that have to be made to make sure that the public realizes they can't get away with it.

Now, what impact did this have the other evening on Downtown Pittsburgh? It had far-ranging impacts. The business district in this Downtown was harmed tremendously. The Civic Arena was harmed tremendously. The Stadium was harmed tremendously. The Port Authority was harmed, and I'm talking about financially, in the pocketbook. I heard people being interviewed on the TV last night saying, "My child will never go, never go to another concert in this City." If that isn't enough to wake up this City, and we read articles in the newspapers from the people in our Administration saying the problems are the concerts, that's a disgrace. That's the problem and it's about time this Council deal with it. It's about time this Council challenge the Administration and say to the Administration, "We want to see the dollars that we allocated in that budget for public safety properly put forth to protect the citizens of this

City."

I'll say to all of you right now, budget time is coming up again, and I've said there's too many chiefs and not enough indians in Public Safety, and I mean it. I'm going to be making some strong recommendations to this Council in regard to public safety if we don't see something done there. We've sat back and listened too long; it's about time we take some action. The Charter gives us that right and we should.

Mrs. Masloff:

Mr. President, I spent my first day in an apartment directly across from the Civic Arena. Whatever brought that on started in the Arena. It sounded like a clap of thunder. Those people came out of that Arena screaming war yells; I never heard anything like it. I thought the building had collapsed because I'm directly opposite and I was on the 15th floor. I ran to the window and it sounded like war yells, it sounded like a clap of thunder, so that whatever brought that on started in the Arena. I'm for a moratorium on these bands for a while until we find out if that's what is causing it. They were hell bent before they even left there. It was a disgrace. They screamed and carried on; we could hear them up on the 15th floor. So whatever brought it on started in the Arena by that band. Of course, Jack, whatever you say is true, but it began inside the Arena because when they came out, it was too late to stop them because of what already started. I saw it all happen.

The Chair:

I'd like to say something.

Michelle Madoff:

Certainly, I yield because I'm a lady and I wouldn't fine you.

The Chair:

No, I'm the President and I can talk when I want but never mind.

I would like to have the Magistrate Joe James up here for us to see what we're going to do with the people that they have caught and, Jack, I agree with you, I don't know how the police, how many were on duty or whatever, but you just can't blame it on not enough policemen because I saw K-9s, they were down there. We have to blame it on the people that were involved. When you can get psyched up over watching a group and go out and destroy other people's property, then there's something the matter with you and it's not the police problem, it's not our problem, there's something the matter with the individual there. We have to address it. When you have 9000 people running around the street, if you had 500 cops there, it would just have been a bigger riot. But there has to be a way to address it, and I'm not protecting the police, I'm not protecting the individuals, but there has to be something wrong with those individuals when they just come out of the Arena and just start breaking things up. There's no reason whatsoever.

Mr. Wagner:

If I may respond to that, I agree with you that there are individuals and there are problems. However, for us to change society and to change the actions of individuals is very difficult as a government and as a municipality. But one thing we can do, though, is police and we should have made 500 arrests the other night.

The Chair:

I'm not saying you're wrong, I don't know what the problem was. But it's just my opinion, if we had 100 police there instead of 50, it probably wouldn't have changed the situation.

Mr. Wagner:

We would have arrested five times as many and they should have been arrested.

The Chair:

Perhaps.

Michelle Madoff:

I have several items to address. This is one that I would like to continue and finish with and then I'd like to address two other items. But I'm on the same subject now.

The Chair:

And then when you're finished with that we're still on the same subject.

Michelle Madoff:

Certainly, that's why I mentioned it to you, because I'd like to be gracious and if you would reciprocate the same kind of treatment.

The one thing that was not brought to light at this meeting today, and Mr. Wagner is being a gentleman, but I feel that it is imperative that somebody speak for him because he is not defending himself and I think he should be.

This morning I had a call from one of the television stations asking me if I would be willing to comment on what happened yesterday. I agreed to do that

and I agreed to meet with the media at 10:30. At 10:30 they did not show and I called and I said, "I have to get to some business meetings, I have some very important work I'm doing for the City; what happened?" They said, "Oh, we're just trying to get you. The camera crew has been diverted; they're going to a meeting with the Mayor and Mr. Ben Woods on the police issue." Is that correct, Mr. Woods? There was a meeting in the Mayor's Office today?

The Chair:

I don't know if there was a meeting in the Mayor's Office but it was incorrect if my name was used.

Michelle Madoff:

I'm just telling you what I heard. I'm not stating it as fact and that's why I asked you the question. As a matter of fact, I went in and asked if you were still in the room and the receptionist had said no, you had left, and that the Mayor had left.

The Chair:

Let me interrupt you. You mean the receptionist said that I was in that room? What's the name because —

Michelle Madoff:

The young lady who sits out at the desk. I said, "Has the meeting ended with Mr. Woods and with the Mayor about the police thing?" and she said, "They just left." As a matter of fact, the camera crew had just gone downstairs and I thought they were looking for me, they were not. They were going to the Civic Arena to do some unseen interviews.

My question is, was there a meeting with the Mayor this morning

about the police issue?

The Chair:

And I made it perfectly clear that I was not at any meeting.

Michelle Madoff:

Okay, well, Mr. Wagner, as Councilmember in charge of Public Safety, should have had the courtesy extended to him to have him present if that meeting did indeed take place.

I'm only relating that I understand there was a meeting. I came down because they were looking for me to be here to make it easier, and when I went to the reception desk she said, "Yes, the meeting on the police was over."

Now, if indeed it did take place, and we know that this happens all the time, when there's a meeting that relates to Water, I'm not invited and I'm head of the Water Committee. Mr. Wagner is head of the Police Division; I think he should be invited. That was just point that I wanted to make, that if it did take place, and that's easy to find out, we just have to make a phone call to the Mayor whether there was a meeting on police issues this morning, I don't know if you were present or not, Mr. Woods —

The Chair:

Ms. Madoff, how many times do I have to say this? Are you questioning my integrity?

Michelle Madoff:

No, I was questioning whether there was a meeting with the Mayor on police issues this morning.

The Chair:

And I told you that I did not know and I was not present.

Michelle Madoff:

Fine.

The Chair:

And as President of Council, I can attend any meeting.

Michelle Madoff:

Mr. Chairman, if you'll let me continue, I would like to know if Mr. Norton was present and if there was a meeting why the Public Safety representative of Council was not invited to that meeting. It could have been Mr. Norton; they may have had the name mixed up. I told you it was second-hand information. I accept your word; I do not question you. I'm only telling you what I heard. But I believe there was a meeting with Mr. Norton and with the Mayor and if Mr. Wagner was not present at that meeting he probably should have been and I think its terribly important that the Councilmembers be involved in that kind of informational thing.

Mr. Givens:

I just want to reiterate, Mr. President, what you indicated. My eyewitness of the account so indicated regardless of how many police officers, Jack, we would have had down there at that particular time, it couldn't have been controlled with 9000 people acting the way the did. Apparently it just wasn't one or two groups. As Sophie indicated, and she was an eyewitness, so we have two Councilpeople that were on the scene as eyewitnesses to what happened and they all came out of that place, as witnessed by the report from

Jim Kessler from the Auditorium Authority, the all came out of that building in a rampage.

In the building itself, they were fairly orderly. There were a few disturbances that are normal for those types of events and they handled it without dispatch and no internal problem in there, but when the doors opened up, apparently the kids must have realized that now they could do whatever they wanted to. They could expel their true emotions that were pent up in them, I would assume.

When they came through Downtown Pittsburgh, Smithfield and Forbes and Fourth was the area that they were all headed for coming down the various streets from the Civic Arena, all of them. I think the police responded, apparently, adequately enough with 49 police officers in just the Downtown with police dogs. They responded very quickly and had they not been prepared, it would have been much more disastrous then it is.

No one in our society assumes that 9000 people are going to go berserk at one time. I don't think they all did but there were groups and they were like any group from any neighborhood, 20, 25 kids, 30 kids, well dressed, and did actions that they probably never did in their lifetime. I think these kids have to go back and read those newspaper accounts and say did they act accordingly to the rules of our own society, which they are part of. And I think that is where we have to go to. To deny someone to go to rock if they want to go to rock, I think is a constitutional question and one that raises many questions.

I think the police did respond. In the five minutes it took to go from the bus to an automobile, less than five

minutes, three different police vehicles came by at that particular time. Two police officers, one with a dog, came by at that particular time. So they were down there. But the thing was happening so quick and so rapidly that it was on and off again before you even knew that it was even happening and only those people that were accosted Downtown were the ones that just happened, like in any Downtown area at 11:00 on a Saturday night, especially in Pittsburgh, there's not many people walking. It was those poor people that had to be walking or maybe left the ballgame extremely early to beat the crowd and came into the Downtown area to get their automobiles or something like that. They were the people that were caught in the mishmash. I don't know if some of the people were hit. They might have been our particular group; we had quite a few women in that group and they walked to the various parking lots and adjacent Downtown areas to get their automobiles. I haven't gotten a report back from our own State Committee people as to whether or not any of them were personally involved but I intend to do so.

Just listening to what all of you have said, there's some 13 different major bodies like department heads that are going to be at this particular meeting. It's going to be awesome to try to get some semblance of order out of that particular meeting and to try to get to the bottom of it. I think all the meeting and the post agenda will do — Are people willing to come? Are they willing to come down and sit in a public forum and discuss issues that are affecting all of us in our daily lives? And if they are, then I think it would be a starting base for us and the Mayor and the Commissioners and everyone else because this is joint venture we have down there. We're a City government but we also have a County government

overlapping us and we also have a State government overlapping us. For that matter, we have a Federal government that has jurisdictions in many areas too. We are elected by the people and naturally they do want us to bring this to some type of resolve and I hope all of us can be there and attend it and it might be a long session.

Thank you, Mr. President.

The Chair:

Okay, I'd like to change the subject, and Ms. Madoff has one, because we're going to have the post agenda and right now all we're doing is speculating.

Michelle Madoff:

Mr. President, I'd like to clarify by requesting a legal opinion on the issue that I've brought up repeatedly. I have a swollen gland; two young women sitting over there are very cold, one is Sophie Masloff's aide, the other is my administrative assistant; Linda Johnson has complained of the cold; Mike Perry has complained of the cold; and I got fined for raising the issue repeatedly.

According to Robert's Rules, I would like an opinion whether you have the right to fine me when I asked in an orderly fashion Point of Personal Privilege of the issue of being terribly uncomfortable with the swollen gland that you can see. I resent the fine and I'm going to fight it and I want a legal opinion.

Mr. Givens:

I just have one comment, Michelle. I had talked last week to Mike Perry and maybe Mike can shed some light on this as to ways that we might be able to divert at least the air conditioning vents so they might not

come upon us. I think all of us feel that particular draft that's coming upon us. Mike, were we able to get with anybody this last week?

Mr. Perry:

I spoke with Ray Fisher and I asked him to come down here to see if he could adjust those vents. And to this day I haven't seen Ray, he hasn't been down here.

Mr. Givens:

Then you did call him after last Monday?

Mr. Perry:

I called quite a few times, Mr. Givens. And we are getting hit by a draft here; I know I'm getting hit right in my ear.

Mr. Givens:

I feel a little bit of it myself.

The Chair:

That's because the window is open.

Mr. Perry:

I disagree with you, Mr. Woods.

Mr. Givens:

Mr. President, Michelle brings up a good point of order that any assembly should be in such a state that its to the majority of the people and their health and welfare. Michelle might have a problem with any type of air conditioning

The Chair:

That is not my problem, Mr.

Givens. My problem is when people disrupt a meeting; when I say, "You're out of order and we're going to continue with the meeting", and they keep on disrupting it. That is my problem.

Mr. Givens:

What I was trying to say is, Michelle might have one condition that indicates no air conditioning but I have a condition that indicates I'm supposed to have air conditioning.

Any assembly, is what I'm trying to say, Mr. President, that person in charge of that assembly should try to have it as comfortable as possible. I think its very comfortable in this room right now, to my standards and I think to most community standards. We might have a personal problem here that we might try to resolve if we can.

Michelle Madoff:

I'd like to respond to that. The issue of my being out of order, Mr. President, is when I've complained about and issue 15 times and I don't get a response. I have to persist in trying to get something done. You ruled me out of order by persisting because you didn't solve the problem. You are the President of this Council. Mr. Perry could not get Mr. Fisher to respond; I have not been able to get him to respond.

I don't mind the cold; I mind the draft. And we are getting a terrible draft on all of us. Sophie has been out ill, the other people aren't comfortable. I'm angry and I cry when I'm angry, and I just want you to know that.

The Chair:

Fine.

Mrs. Masloff:

Mr. President, why don't we get Mr. Fisher down here and get this settled? Get Mr. Jacoby, get the engineers. It's such a simple thing and we're wasting all this time.

The Chair:

That's exactly right, it is very simple and very silly --

Mrs. Masloff:

Then why don't you do it? ^

The Chair:

This is the first time Mr. Perry has been handling this. Mr. Perry said he couldn't get him down, I guarantee you I will get him down.

Mrs. Masloff:

Thank you, that settles it.

The Chair:

Alright, but, in the meantime, everyone will remain in order and when I say you're out of order and when we go on with business, you will respect that and not get up, walk around, open windows, close doors, tear gadgets off the thermostat, we will act like ladies and gentlemen.

Michelle Madoff:

I'm glad you raised that point because I just went over and sat down out of the draft and did not touch any of the equipment.

But one of the other members of this Council made a smart-ass remark about making it very funny but you didn't fine him because, of course, he has male

genitalia and we understand there's difference between males and females. I want that on the Record.

Mr. Pollock:

I told you to keep religion out of this, Michelle.

The Chair:

Mark, please.

Michelle Madoff:

What kind of update do we get from our authorities, Alcosan and URA or any of the other authorities, on when bonds are going out and who is handling the bond issues?

It has come to my attention again, third-hand, I do not know how much validity there is to it, but it is very disturbing information and I don't know the truth of the information. Did Alcosan go out or is it going out on a new bond? Does anyone know here?

The Chair:

Not to my knowledge.

Mr. O'Malley:

Yes, they're preparing it now.

Michelle Madoff:

Who is the bond counsel?

Mr. O'Malley:

Who is the bond counsel?

Michelle Madoff:

Yes.

Mr. O'Malley:

Baskin and --

Michelle Madoff:

That's not what I heard. I hope that it is because I don't care who it is as long as they are bond counsel.

Mr. O'Malley:

Ralph Lynch --

Michelle Madoff:

Okay, that would not be a problem because I understand there was a bond going out with some people handling the bond counsel who have never done any bond work and I didn't think that was realistic. So, I thought we ought to have a report to this Council from Alcosan periodically as to what is happening, if there's a bond, who's handling it. While it is an authority we still overview it.

I would like to do the same thing to the Water and Sewer Authority, who handles the bonds, where they're being issued, who the bond counsels are, and with URA. We are coming into very, very difficult times financially and whether its an authority or whether it is an operating budget or a capital budget, the rate payer still pays the money out of his pocket and I think that's the kind of information this Council must have.

My just saying it is rhetoric; we need to have some formal situation set up so that we have a report, and I guess, perhaps, twice a year Alcosan ought to report to us. I've asked for this before; we have not received it. URA ought to report twice a year on their bonds and I don't mean in written form; I would like to have an address to Council of what is going on so we can have some dialogue, some questions and answers, either set

up by the President in our meeting, it's an information gathering, open to the public or some mechanism so we know what's happening.

Mr. Grabowski:

Before we adjourn, Mr. President, I just would like to make mention that this morning I had the privilege of representing this Council in welcoming a convention to town. There were several hundred conventioners down at the Hilton and it was a society known as the Health and Physics Society. Of course I mentioned that this was the number one city -- I think they already knew that anyway. But it is a society that is dedicated to the protection of society from harmful effects of radiation. I wasn't aware that this society was in existence and I'm sure probably no one else was either, but it's somewhat comforting to know that there is a group of professionals like this that are out there dedicated to this and to the safety of the public. I just assured them that I would make mention that the City welcomes them and wishes them well and encourages them to keep up the good work.

Mr. Pollock:

Just one more thing. I never think its a good idea to go to sleep fighting with someone so I always try to make up and similarly I hate to see us close our session talking about all these negative things so I think there is a bit of positive news that should be related. That is, also in the nature of public safety, I was very impressed with the job that the Bureau of Building Inspection did along with the Fire Department over the weekend, and it should be noted that it was on the weekend and their own time, in monitoring the activities of the traveling circus that was in town and making sure that all the health and

safety and fire codes were followed. Again, I must point out that they did this in the evening and in the rain and everything else on Saturday and they're to be commended for that.

As has been mentioned, this is Jack Wagner's committee and this is clearly one time where a campaign promise was kept because, if we all remember, he did pledge to stop the circus.

And on the motion of **Mrs. Masloff**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Monday, July 7, 1986

No. 27

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, July 7, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. DePasquale presented

No. 1086 Resolution providing for the issuance of a warrant in favor of National Training Corporation in the amount of \$10,009.65 in payment of

training materials for field inspectors, payable from Code Account 1482, Miscellaneous Services.

Which was read and referred to the Committee on Finance.

Also,

No. 1087 Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Community Affairs, for a grant in connection with the Handicapped Nature Trail, providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Renovation, providing for required assurances; providing for the execution of payment vouchers on Letter of Credit; providing for the certification of authorized signatures; and for the deposit of funds into Unrestricted Cash.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 1088 Resolution providing for the issuance of a warrant in favor of Norwood, Inc. in the amount of \$6,999.62, A.R. Chambers & Son, Inc., in the amount of \$46.20 and Knickerbocker Russell Co., Inc. in the amount of \$1,087.00, for a total payment of \$8,132.82 for emergency repairs of a damaged sewer on Center Avenue at Neville Street, chargeable to and payable

from Code Account PW 86-12, Capital Construction Division. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 1089 An Ordinance amending the Pittsburgh Code, Title Six - Conduct, Article III, Subchapter 635.01. to allow the Director of the Department of Public Works to permit scenic tours by horse drawn carriages.

Also,

No. 1090 Communication from Norman Walker, Director, Department of Environmental Services, requesting permission for Darryl Mabrey, Assistant Director-Operations, to attend the 24th Annual International Seminar, Equipment, Services, and Systems Show in Reno, Nevada from August 11-15, 1986, at a cost not to exceed \$1,400.00, payable from Code Account 1176.

Which were read and referred to the Committee on Public Works.

Mrs. Masloff presented

No. 1091 Resolution authorizing the issuance of a warrant in favor of Bee-Kim Co., Inc. in the amount of \$3,667.66 in payment of restoration of floors at Schenley Skating Rink for the benefit of the City, chargeable to and payable from Code Account 4-10-01-0010-86, Index Code 320938 in the Department of Parks and Recreation. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 1092 Resolution providing for an Agreement or Agreements with Sharing and Caring Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838, Miscellaneous Services, Recreational Activities, in the Department of Parks and Recreation.

Also,

No. 1093 Resolution amending Res. No. 325 of 1986, effective April 23, 1986 entitled: "Providing for a Contract or Contracts or for the use of existing Contracts for the purchase of supplies and materials for major repairs in the Department of Parks and Recreation, and providing for the payment of the cost thereof," by changing the title from the use for purchase of supplies and materials to the use of existing Contracts for services; and by decreasing the total project allocation from \$30,000.00 to \$21,152.34, chargeable to and payable from Code Account PR 86-06, Major Repairs and Emergencies, in the Department of Parks and Recreation.

Which were read and referred to the Committee on Parks and Recreation.

Also,

No. 1094 Resolution Repealing Res. No. 129 of 1986, effective February 24, 1986, entitled: "Providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing and delivery of various pool pumps and equipment for the Department of Parks and Recreation at a cost not to exceed \$20,000.00, chargeable to and payable from the 1986 Pool Pump and Equipment Program 4-10-03-1354-86, Index Code 320879, Department of Parks and Recreation, is hereby repealed.

Which was read and referred to the Committee on General Services.

Also,

No. 1095 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Arch Herron, Lynn Ford, James Krashma, Ken Lindsey, Deborah Johonski, Alice Stevenson, Polly Herron, Mary Bradley and Printice Parrish to accompany and chaperon 40 youth to the Arco Jesse Owens Games, East Regional Meet in Philadelphia, PA on July 12, 1986, at no cost to the City.

Which was read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 1096 Resolution providing for a Contract or Contracts or use of existing Contracts for the furnishing, delivery, and installation of work center equipment-work surfaces, drawers, panels, shelves, lights, connectors, etc., revolving type file units and accessory items, and a mobile file unit storage system in connection with the remodeling of the Billing and Tax Information Office, Wage and Occupation Tax Computer Room, and various offices in the Department of Finance at a cost not to exceed \$75,000.00, chargeable to and payable from Code Account No. 1066, Equipment, Department of Finance.

Also,

No. 1097 Communication from Mayor Caliguiri, requesting permission for Jean M. Sickie to attend the National Association of Housing and Redevelopment Officials in Chicago, Illinois from September 26-30, 1986, at a cost not to exceed \$1,000.00, payable from Code Account 1021.

Also,

No. 1098 Communication from Raymond E. Johnson, Deputy City Controller, requesting permission for Richard D. Pugh, Controller's Engineer, to attend the Construction Auditing Seminar in New York City from September 17-19, 1986, at a cost not to exceed \$1,800.00, including registration fee, chargeable to and payable from Code Account No. 1048.

Which were severally read and referred to the Committee on Finance.

Mr. Wagner presented

No. 1099 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase 215 Personal Distress Device to be used by the City of Pittsburgh Firefighters, the total cost shall not exceed \$27,950.00, chargeable to and payable from the Department of Public Safety, Bureau of Fire, Code Account (DPSTPP).

Also,

No. 1100 Communication from John Norton, Director, Department of Public Safety, requesting permission for 37 members of the Fire Bureau to attend the State Fire Academy in Lewistown, PA from August 3-5, 1986, at a cost not to exceed \$6,500.00, payable from Code Account DPSTPP.

Also,

No. 1101 Communication from John Norton, Director, Department of Public Safety, requesting permission for Sergeant Ray Micknowski, Bureau of Police to attend a seminar on Interviewing the Sexually Assaulted or Abused Child in Wilmington, Delaware on July 21 and 22, 1986, at a cost not to

exceed \$750.00, payable from Code Account DPSTPP. (PRIOR APPROVAL GRANTED)

Also,

No. 1102 Communication from John Norton, Director, Department of Public Safety, requesting permission for Battalion Chief Robert Kolenda to attend a seminar Train-The-Trainer course in Emmittsburg, Maryland from July 6-11, 1986, at a cost not to exceed \$250.00, payable from Code Account DPSTPP. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Safety.

The Chair presented

No. 1103 Communication from Tom Flaherty, City Controller, submitting the Fiscal Audit of the Pennsylvania Association for the Blind as of December 31, 1985.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1104

Report of the Committee on Finance for July 2, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1010

A Resolution entitled, "Resolution providing for the issuance of a warrant in

favor of Carl J. Bonidie, Inc. (Carl J. Bonidie, President), in the amount of \$425.00 in payment of Extra Work, being in addition to the original contract price of \$48,375.00 on Controller's Contract No. 27219, furnished for the benefit of the City in connection with the Rehabilitation of Fire Stations No. 16, 36, and 7; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1011

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sargent Electric Company (Ralph D. Vryenhoek, President) in the amount of \$2,250.00 in payment of Extra Work, being in addition to the original contract price of \$81,632.00 on Controller's Contract No. 27720, furnished for the benefit of the City in connection with the Building Electrical Contractor at the Pittsburgh Zoo - Phase 4.1: Plaza; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1012

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of W.G. Tomko & Son, Inc. (William G. Tomko, Jr., President) in the amount of \$1,385.00 in payment of Extra Work, being in addition to the original contract price of \$94,430.00 on Controller's Contract No. 27722, furnished for the benefit of the City in connection with the Building Plumbing Contractor at the Pittsburgh Zoo - Phase 4.1: Plaza; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1013

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Trumbull Corporation (Perry J. Dick, President) in the amount of \$63,720.80 in payment of Extra Work, being in addition to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street - Phase I; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1014

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Metz & Lautner Plumbing (George L. Lautner, Partner) in the amount of \$1,607.21 in payment of Extra Work, being in addition to the original contract price of \$32,170.00 on Controller's Contract No. 27218, furnished for the benefit of the City in connection with the Rehabilitation of Fire Stations No. 16, 36 and 7; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1022

A Resolution entitled, "Resolution providing for the issuance of a \$1,244.01 warrant in favor of Thrifty Rent-A-Car in full settlement for vehicle damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 1023

A Resolution entitled, "Resolution providing for the issuance of a \$781.00 warrant in favor of Bell of Pennsylvania in settlement of claim for property damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 1024

A Resolution entitled, "Resolution providing for the issuance of a \$933.00 warrant in favor of Bell of Pennsylvania in settlement of claim for property damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the

bills passed finally.

Also,

Bill No. 1025

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of property or properties, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1045

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of NBI, Inc. in the amount of \$5,010.00 for payment to increase storage capacity of word processing hardware, chargeable to and payable from Code Account 1006, Equipment, City Clerk's Office, Index Code 100602."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 1105

Report of the Committee on Public Works for July 2, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 988

A Resolution entitled, "Resolution vacating Livingston Street from Adelpia Street to the Angle 77.36 centerline feet northwardly in the 10th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1017

A Resolution entitled, "Resolution providing for an Agreement between the City of Pittsburgh and the Pennsylvania Department of Transportation in connection with the resurfacing of various State Routes within the City and providing for the payment, by the Pennsylvania Department of Transportation to the City, of the Department's (PennDOT) share of the cost thereof."

Which was read.

Also,

Bill No. 1060

A Resolution entitled, "Resolution amending Official Sewage Facilities Plan of the City of Pittsburgh by adding a corrective action plan and schedule for Saw Mill Run."

Which was read.

Mr. Wagner:

I'd like my comments brought forward on Bill No. 1060. Thank you.

(BEGINNING - MR. WAGNER'S
REMARKS ON BILL NO. 1060 -
WEDNESDAY, 7/2/86)

Mr. Wagner:

This is the second step in a two step process. Public Works has submitted to DER plans to accommodate the additional 52 units of a senior citizen highrise building in the Beechview area, and this Council must formally pass this piece of legislation as the final step in the process to know officially that the legislative body approves what is going

on here. Now, DER has agreed that the Saw Mill Run basin has the capacity to accept these additional 52 senior citizen units. Primarily because they know that certain buildings have been demolished in the area and actually where this building is being constructed, it is replacing a small apartment building. So, it is simply replacing some tap ins that previously existed and it's necessary for this legislation to pass in order for HUD to approve the money that comes to the City of Pittsburgh to build this building.

If I may just add, the outlying communities are doing it and two thirds of the sewage passing through Saw Mill Run is from the suburban communities, and we have impacted it very little over the years. Suburbanites have impacted it more, and for us not to move forward with a project when they are moving forward with projects all the time is not just, is not fair. There was a resolution passed by the Water and Sewer Authority recently asking Alcosan, and Alcosan has agreed, and the Chairman has indicated earlier, Mr. DePasquale, that they have allocated certain dollars towards the correction of Saw Mill Run basin, and I think that's a positive move in the right direction.

(END OF REMARKS)

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock

Mr. Grabowski Mr. Wagner
Michelle Madoff Mr. Woods
Mrs. Masloff (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 1106

Report of the Committee on Planning, Housing and Development for July 2, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1028

A Resolution entitled, "Resolution amending Resolution No. 713 of 1984, entitled: 'Providing for an Agreement or Agreements with Lawrenceville Citizens Corporation for a two-year period for the City's share of administrative costs to establish a local development corporation to pursue neighborhood revitalization, for a sum not to exceed \$110,000.00,' so as to extend the period of the legislation to 30 September 1987. There is no change in the funding amount."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mr. O'Malley
Mr. Givens Mr. Pollock
Mr. Grabowski Mr. Wagner
Michelle Madoff Mr. Woods
Mrs. Masloff (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1029

A Resolution entitled, "Resolution providing for the implementation of a Residential Sticker Parking Program in the Allegheny West community pursuant to Pittsburgh Code, Chapter 549."

~ Which was read.

Mr. Pollock moved to recommit Bill No. 1029.

Mrs. Masloff seconded the motion.

Mr. DePasquale:

I'm opposed.

The Chair:

Okay, recommitted with one opposed.

WHICH MOTION PREVAILED.

The Chair:

If you would, please, please let me ask if there is any discussion before anyone makes a motion to recommit or

anything else.

Also,

Bill No. 1030

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Charles E. Davis Construction Co., Inc. for the sale of Parcels B-10 and B-15 in the 11th and 12th Wards of the City of Pittsburgh in Redevelopment Area 10 (TOWNHOUSE CONSTRUCTION)."

Which was read.

Also,

Bill No. 1031

A Resolution entitled, "Resolution approving an Agreement by and between the Urban Redevelopment Authority of Pittsburgh and Charles E. Davis Construction Co., Inc. in which the Urban Redevelopment Authority of Pittsburgh will provide financial assistance to the purchasers of houses to be constructed in the 11th Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program."

Which was read.

Also,

Bill No. 1032

A Resolution entitled, "Resolution approving execution Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the below-listed redevelopers for the sale of the following properties in the 5th Ward of the City of Pittsburgh in Redevelopment Area No.

32 (REAR YARDS)."

Which was read.

Also,

Bill No. 1033

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Joe and Ruby Bolton for the sale of Parcel 84 in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32 (RESALE FOR REHABILITATION)."

Which was read.

Also,

Bill No. 1034

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to convey and the City of Pittsburgh to acquire the property designated as Block 17-R Parts of Lots 180 and 130, and Block 36-C Lot 295, in the 20th Ward of the City of Pittsburgh (PARK)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner

Michelle Madoff Mr. Woods
Mrs. Masloff (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 1107

Report of the Committee on General Services for July 2, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1035

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts or for the use of existing Contracts for the purchase of Fencing for the Police Firearms Range and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mr. O'Malley
Mr. Givens Mr. Pollock
Mr. Grabowski Mr. Wagner
Michelle Madoff Mr. Woods

Mrs. Masloff (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 1108

Report of the Committee on Public Safety for July 2, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1036

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Organization 'Support' formerly known as 'Legal Advocacy for Women' for professional services in connection with the legal support for women program and providing for the payment of the cost thereof."

Which was read.

Mr. Givens:

On Bill 1036, my question is, does this particular organization have any affiliation with any abortion clinics within the City of Pittsburgh?

Mr. Wagner:

Mr. Woods, I did not sponsor this piece of legislation so, therefore, I cannot speak to it.

Mr. O'Malley:

I can speak to it. No, this is an organization that was funded by Council approximately three years ago, Mr. Givens, and their primary goal is to assist women and children whose husbands either do not pay or are back on their child support. As you know, if the husband does not pay child support the woman not only can she hire an attorney but it's very difficult to buy food and clothing. It has nothing at all to do with abortion. This is just to make up their funding gap between now and the Community Development Block Grant Funds.

Mr. Givens:

Okay, thank you.

Also,

Bill No. 1037

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Center for Emergency Medicine of Western Pennsylvania (CEM) in connection with Emergency Medical Services of Pittsburgh and providing for the payment thereof."

Which was read.

Also,

Bill No. 1038

A Resolution entitled, "Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Community Crime Prevention Trust Fund, for the deposit of donations made for the purpose of furthering the goal of crime prevention, and authorizing the use of the funds deposited therein by the

Department of Public Safety for any and all expenses associated with the development and implementation of Crime Prevention Programs."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. DePasquale presented

Bill No. 1109

Report of the Committee on Engineering and Construction for July 2, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1015

A Resolution entitled, "Resolution providing for a Contract or Contracts, or

use of existing Contracts, for roof rehabilitation on the Department of Public Works Traffic Control Building; and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

On Bill 1015, I have not really had a chance to in-depth review the bid process but it occurs to me that the \$240,000 for roofs is excessive. I would like to see whether there was a consultant hired, what the consultant received, and whether we could not have gone ahead and done the job without having to pay for some auxiliary services. I believe that is an excessive dollar figure based on roofs, even considering the expense of that roof. I must vote no on that.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1016

A Resolution entitled, "Resolution providing for an Agreement with the Urban Redevelopment Authority and the Pittsburgh Water and Sewer Authority in connection with the Wiggins Street Town House Project."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1053

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the design for increased illumination in Market Square; and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

On Bill 1053, I would urge all my colleagues to please vote no on this bill. It appears that the \$5000 for lighting has been done in-house consistently in Public Works. There is absolutely no reason — We've done it for years and years and years and years without going out with a consultant. They know how to do it. As a matter of fact, my understanding is that Public Works has offered to help and that it is not just a matter of changing a light bulb; it is a matter of changing some of the switches and paraphernalia that goes on the lights. I've talked to Public Works; they're completely equipped to do it and prepared to go ahead with it and I think \$5000 for a consultant is an absolute waste of taxpayers' dollars.

Mr. O'Malley:

I think there's more than one reason to either hold this bill or vote against it. I was down at the Allegheny Conference this morning and I had the opportunity to see the new plans for Market Square and they're very exciting and very extensive from City Planning. The Allegheny Conference along with another group of people are going to try to raise \$500,000 from the business community to remodel the Market Square area. So I think putting this \$5000 into this study right now may be a little premature.

Michelle Madoff:

I also requested from, I believe Mr. McDermott or whoever has the information, the number of dollars that were spent redoing Market Square and doing the streets over. As a matter of fact, we had to wait two years in order to not have to pay the Federal

Government back. I want to know what money has already been spent there because some of the editorials are saying that there's nothing wrong with that area. I don't know what improvements are going to be made but certainly there should not be a large sum of money coming from City dollars and I would very much like to have that figure, which has been requested, Mike, but I have not received it. Did you send them a note?

Mr. Perry:

They were here.

Michelle Madoff:

It was done here but you know if we don't follow up with a letter they just pretend they didn't hear it. Could you follow up with a letter please? We would like to know the dollars spent on Market Square and the adjacent streets for PPG and Market Square and what the new dollars anticipated are so we can compare them.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 5

NOES 4

VOTING NO:

Mr. Grabowski Mr. O'Malley
Michelle Madoff Mr. Wagner

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No.1110 WHEREAS, on July 18, 1979, the first POW/MIA recognition day was observed at Point State Park; and

WHEREAS, there are still 2,500 American POW/MIA's unaccounted for from the Vietnam War; and

WHEREAS, 125 POW/MIA's are from Pennsylvania, including 20 residents of Allegheny County, and 11 men who made their homes in Pittsburgh; and

WHEREAS, on Saturday, July 12, 1986, at 11:00 A.M. a ceremony and service for the 2,500 still missing in action will be held at Point State Park which is sponsored by the Pittsburgh Chapter of ex-prisoners of war, and prisoners of Corregidor and Bataan.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby recognizes July 12, 1986, as "National POW/MIA Recognition Day" to increase public awareness of this issue and thereby assist in efforts to resolve the fate of our missing men; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh wholeheartedly supports the ceremonies scheduled for Saturday at Point State Park and joins the Nation in recognizing July 12, 1986, as "National POW/MIA Recognition Day".

Mr. O'Malley moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Givens:

I'd like to make some comments on that if I could, some personal observations.

One of the first people that was shot down was Jerry Singleton, Captain, U.S. Air Force and his crew, the CH3 crew over in North Viet Nam on a rescue mission over there. Jerry was one of the longest held captive prisoners and a very dear friend of mine; both of us served out of the Air Commando outfit, called First Air Commando group.

I have attended many of the ceremonies down at the Point where many of the Veterans organizations get together not to forget our POWs and MIAs and apparently there have been many reports that have come in, some classified, some others. I know when all of us served over in that particular theater, we were shown, at that particular time, classified shots that were taken by satellite, etc., to try to depict and see if we could identify certain people that looked Caucasian at that time over in an Oriental country and see if we could so identify these people and that went around to all the air crews that were over there during that period of time and during all the time that our fighting men had been over there in the Viet Nam era.

We still have not settled with North Viet Nam. They have not come to terms with this country. There are many bills floating around in the halls of Congress that want to give aid and support to North Viet Nam. Until these

POWs and MIAs are totally accounted for, this country should not and will not, hopefully, ever give any aid until all of our men have been accounted for in that particular war of Viet Nam.

Thank you, Mr. President, and please go down to that ceremony. It's a very impressive one; they bring speakers from throughout the country to come down there and the men, V.V.I., Viet Nam Veterans Incorporated, pitch their tents out there and the young children come down and look at them and they have the history of what's happening to our men over there and some of the information on the POWs. This is an area where veterans of various groups and Congressional people and U.S. Senators get together and they hear from the grass roots, they hear from people who have loved ones and we have many of them here from Allegheny County that are still POWs and still MIAs. They hear a little bit and they exchange ideas and concepts and information at this particular gathering. So, if you have an opportunity, please go down to the point.

Mr. Wagner:

I'd like to speak about another topic. Mr. President and members of Council, as Chairman of Public Safety, I found out today that there was a news conference, I found out about an hour ago that there was a news conference in the Mayor's Office pertaining to massive changes in Public Safety and the Police Bureau. Many of the changes of which I have not even been able to review, I have here a news release that has been handed out that I received a copy from from the news media. I don't know if any of you were fortunate enough to receive a copy from the Administration. If you have not been, I have a copy or the media can provide us with that information. I find it ironic that we fund the department and the media gets the information prior

to this Council getting the information. And that continually happens with this Council.

As I indicated, I haven't had time to review it but I would like to mention a couple items prior to discussing that and our public hearing tomorrow. This Council allocated approximately \$90,000 under the suggestion of the Administration last year, almost a year ago, for a consultant study to evaluate the Police Bureau within the new Public Safety Department. It was promised to us at that table behind us that we would receive an interim report in the first quarter of '86 and a final report at the end of May in '86 about that consultant study.

I have personally requested in writing and verbally for the interim report and the final report. This Council did it officially, publicly, at one of our legislative meetings about six weeks ago. We have not received a copy of the report. For that reason, I classify the report or the study as the Phantom Study, the one that is being done that no one has ever seen, that we have paid a company \$50,000 and they will come back for an additional \$40,000 for final payment. The reason I mention that, the premise to all change that was to occur within the Police Bureau of the Public Safety Department, a great percent of it was going to be based on an independent report. That independent report was the consultant study.

I have mentioned all along that there has been change for the sake of change going on in Public Safety. Changes have occurred that this Council was never aware of in the budget that we approved. Changes continue to occur in 1986, in this calendar year, in this budget year, for particularly the Police Bureau prior to us even having that consultant study in our hands. I wonder, really,

what's happening with the dollars that we allocated for that consultant study. I do know what the final outcome is going to be; the consultant study is going to reflect all the changes that the Administration has made in the Police Bureau. In other words, it's going to, in their minds, validate the changes.

The cart is definitely before the horse. The changes are occurring prior to the study being completed or anyone receiving them, and that leads me to my topic which is today. From what I understand in reading this briefly, there have been some major changes made in the Police Bureau. Four of the nine precincts have been eliminated, as of today or very shortly. That was the announcement made by the Mayor, Director Norton and Chief Moore. The precincts eliminated are No. 1 in Downtown, No. 3 in Lawrenceville, No. 4 in Oakland and No. 7 in South Side. Instead of nine precincts, the City will now have five precincts for Police to operate out of.

I have been reviewing, and as I indicated, this news release is very lengthy, I've only had the opportunity to read the first two pages of it. I have been reviewing some of the information in the news release. Ironically, many of the things that were promised in the new Public Safety Department, directly the opposite is suggested in here.

To read you a statement: "The plan also designates an officer in each zone to act as a crime analyst officer. This individual will be responsible for analyzing reports, looking for existing crime patterns and recommending to the zone commander better utilization of police resources.

When the Public Safety Department was created, if you recall, we created a bureau within the

Department, called the Administration Bureau. We allocated many dollars for research people to analyze the various crime statistics within the Public Safety Department, for the Police Bureau and for the other bureaus within that department.

What they're saying here is just the opposite. And I'm only using this as an example because this Council has been led down a road of which we knew nothing about, of which was not indicated to us at budget time, with the creation of the department, with the funding of new positions in the department last year. As I read through this further, I will have some other comments on it.

However, I do want to indicate to all members of the public out there that live in the precincts that are being closed, and don't let anyone tell you that the precinct in the South Side, in Lawrenceville, in Oakland and Downtown, is not being closed. It states in this news release that you will be able to walk in there at any time on a 24 hour basis to file a report. It does not state that there will not be police operating out of that precinct for your respective district and your respective neighborhood. They will be coming out of another district, out of another precinct. They will travel a greater distance to get to your neighborhood, the zones will be larger, there will be more territory to cover. It's particular important when you look at 7 and 8 Precincts on the south and west side of the river of which is 42 percent of the geographical area of this City and there was two precincts yesterday and there's now one today. One precinct to cover 24 square miles of this City out of 55 square miles. That's a lengthy area.

Some of this information has to be looked at in greater detail; however, I'd

like to mention that it's important there's a public hearing tomorrow. Members of the public can still testify at the public hearing. You should read the newspapers tonight to bring you up to date on what is happening with these changes and sign up for this public hearing if you feel that the changes that have been made do not meet the desires of your neighborhood, of your community, of your area.

It's ironic to note that the precinct in which the Mayor lives is not being closed. It's ironic to note that the precinct in which Mr. Norton lives is not being closed. It's ironic to note that the precinct in which Mr. Cannon lives is not being closed. It's ironic to note that the precinct in which Mr. DiNardo lives is not being closed. It's ironic to note that the precinct that Mr. Moore lives in is not being closed.

I want everyone in this City to realize what is happening, that there are massive changes going on without the basis for the changes, changes for the sake of changes, and that is reflected in many unusual circumstances such as the one that occurred at the Arena which we were not prepared for. Everyone is blaming the Civic Arena. Everything happened outside the Civic Arena, not inside the Civic Arena, and we should have been prepared for it outside the Civic Arena.

What I'm saying is, there are changes being made for the sake of change. There are more chiefs than Indians than there has ever been, and it's about time that the public wakes up. It's about time that the public realizes what is happening here and I can tell you that tomorrow's public hearing is going to be a very vocal one, it's going to be a very outspoken one, and there's going to be a lot of things mentioned at that public hearing that the public has not been

aware of. Thank you.

Mr. DePasquale:

Mr. President, I ask for a five minute recess until we all get a copy of that report.

The Chair:

It's not a report; it's a news release.

Mr. DePasquale:

It's a news release. I mean, we're sitting here and Jack is the only one that has that information.

Michelle Madoff:

Mr. President, if I did that I'd be rules out of order and fined.

The Chair:

No you wouldn't.

Michelle Madoff:

I had my hand raised.

The Chair:

He did too.

Mr. DePasquale:

I don't feel we should participate in any more of this until we get the information Mr. Wagner has.

The Chair:

He can get us a copy but there's no sense in us recessing; it will take you half hour or an hour to read the thing.

Michelle Madoff:

Mr. President, my question to you is, has the report that has been requested by Mr. Wagner and all of Council repeatedly, and which we voted for, been released to members of Council to your knowledge? I do not recall having seen it in my office.

The Chair:

I have not seen it.

Michelle Madoff:

Yet the Mayor who accuses Mr. Flaherty of going public with the media without audits is in effect again gone to the media without even coming to this Council because we're just window dressing. I want to know where that report is, how it got to the media before it got to this Council, and here's an example of the —

The Chair:

Let me just interrupt you for one moment. I think you misunderstand Mr. Wagner. That is not a report; it is a press release. The Mayor has not issued a report. The press release doesn't contain anything in it from a report. It's just a press release, the changes he wants or he has made in the Public Safety Department.

Michelle Madoff:

There is a report that is supposed to be forthcoming before any changes were made. That was what we voted for; that's what we put our money into.

The Chair:

That is correct.

Michelle Madoff:

My question then, is the Mayor going ahead, the Administration, in making changes based on whim, based on gut, based on information of Mr. Norton's experience? I don't know, I'm not being judgmental. I'm saying, where is the report? When is the report due? Has that report come even in interim form as requested by Mr. Wagner in an updated form? Was that interim update given to members of Council or to the President of Council? I gather from what you're saying it has not.

My question to you, and perhaps you would allow me to ask Mr. Wagner, did that report go to the Mayor? Was the report completed?

The Chair:

Ms. Madoff, there is no report.

Michelle Madoff:

Did we not pay for one?

The Chair:

We have paid for it, we paid half or 60 percent of it. We are waiting. It was asked at the Committee Table for the last six weeks at least for a copy of the preliminary report, an update, what is going on. No one has received it, I assume. I don't know if the Mayor has, maybe that's why he made those changes. We don't know about the press release that Mr. Wagner has. It was acquired from the media. It mentions nothing about a report.

Michelle Madoff:

My point, Mr. President, is that before changes are made, we all agreed that we would do a study so we'd know what the changes would have to be. The

one thing I told Mr. Norton when he got here was that I was certainly prepared, based on his reputation, to go with him and give him a chance to act in bad faith. Until he did something that was inappropriate, I was going to support him. I think it's inappropriate for the Administration or Mr. Norton or anyone to start making changes all over the City before this report is in, which we paid and voted for. And I think it's no different than having an audit report go to a press before the information comes to this Council, or a press release going to the media before it is shared with this Council.

Again, we're like mushrooms; we're kept in the dark and fed horse manure. I resent finding out from the media what is going on. I think that is the point that my colleague is making and I would think as President of Council you would want to do something to put a stop to it. We need seven votes of this Council to put a stop to it. Do we have seven people with guts on this Council, because you'll have to veto the Mayor in an override to say that we do not want to have information put out or the reports given to the media before we get it. It's obvious that the City - I hope the people understand. The City is run by a strong Mayor system. Council proposes, the Administration disposes. We don't. You call us all the time, our phones go incessantly. We don't have the power. I want to repeat that. Here is another glaring example of the same thing.

My question, then, to wind this up, Mr. President, is, are we having this televised as requested tomorrow?

The Chair:

Yes, if it was requested. But let me clarify one thing. There was no report given out; there was a press release given out. The Mayor did not

give out a report. He is using the prerogative as the Administrator of this City and making the changes the way he wants. We all agreed to this \$90,000 report and then they would make the changes. He didn't live up to that or Mr. Norton didn't, whoever was here saying that, I believe Mr. Norton. Mr. Wagner said exactly what you said; how can he make changes without the report coming in. That's why Mr. Wagner is upset; he's been asking for at least six weeks, I imagine. Maybe longer.

Mr. Givens:

For eight years I argued very strongly for a strong Public Safety sector within our budget and it is incumbent upon all Councilmembers at budget time to approve a particular budget. In fact, we originate our own budget. To set some of the votes straight, it only takes five votes in this Council and we appropriate the budget. It's our budget that we put together. We take recommendations from the Mayor; they don't have to be voted up or down. Council appropriates its own budget. The Mayor then can line item veto anything on that budget.

I have a very serious problem and the fact that I did not vote for the Public Safety issue and Council, by a majority vote, created the Public Safety Department. Council, by a majority vote again, five votes, can then take away the Public Safety issue.

I would hope that any time major changes are made in any department, that the Mayor would at least comply with our President and leadership of this Council, be it the various committees that we have. I think that's an honorable thing to do for anyone who is the Chief Executive of the department. How and what changes he makes definitely affects each and every Councilperson. If you

were home this weekend, your phone was ringing off the hook for various police officers and other people in Public Safety that were just voicing their concern of the changes that were being made and asking the question, do you think this is best for the people of the City of Pittsburgh. I think that's the bottom line, not what changes are being made, but are they good for the people of the City of Pittsburgh. Does it increase the capacity of our forces to perform the duties that are required of a police officer. The fact that we've lost almost 75 police officers knowingly this year, and maybe a little bit more. So many of them are hanging on, I hear out there, by their toenails waiting to see how the Public Safety issue goes. We could have a great exodus of qualified and senior police officers leaving the force. You have to look at the requirements of those people that are being hired by the City with no -- no police officers are being hired at this time with no physical requirements and some other agility test that I think every police officer should have the capability of. And that has not been administered yet. We're still waiting for that type of testing.

So, a combination of all this and the other events that have been happening in the City, the spotlight is on this particular department and, Mr. President, regardless of press releases or not, I think it's incumbent upon this Council and its leadership to have Mr. Norton come in in a closed session to brief this Council as to what is going on in the Public Safety issue because Mr. Norton is going to come back up before this Council in just a few more months and ask for funding to support his particular Public Safety area or responsibility. If we do not get the cooperation from the various department heads at this time, then I can see a shield being built up, a shield a resentment

being built up between this Council and the various directors, and I think that is something that does not speak for protecting the people of the City of Pittsburgh. We must, for the people's sake, work together. Thank you.

Michelle Madoff:

I'm sure that everybody had an opportunity to read the Sunday paper about a study that was done on our Refuse Department about how monies could be saved and it could be more efficient. Unfortunately I don't have the article with me, it's in my office, but I think it is incumbent upon us to follow up at least at a post agenda meeting with Mr. Walker because one of the comments was made that the reason we're spending excessive dollars is we're calling in the extras, and I don't remember but there are dozens of extra workers and then sending them home and you have to pay them a minimum salary for calling them in. In the school systems and other entities, people are called as needed. You know who is coming, you know who isn't coming, and it would save the City hundreds of thousands of dollars a year.

I don't understand why the department head is married to the position he's in. He gave some rather week excuses about having to have garbage picked up by a certain time and if they're not here then we don't have them to put to work. All you have to do is call them and tell them to come in or if you don't want them don't call them because if you're calling them they have to be paid whether they work or not, at least a percentage of the monies.

There were a lot of other items pointed out in that report. It was done, I believe, as a project by some student who thought it would be something worth looking into. The bottom line is that a lot of money could be saved if we took

some of the recommendations. Certainly we ought to look at that article and if you don't have copies, I do, and I'll be happy to provide my colleagues with the article. But I would very much suggest that we go into a post agenda with Mr. Walker and somebody from the Administration.

It also talks about landfills, getting the garbage to the landfills and how long it takes with the vehicles, the type of vehicles, and maybe Mr. Jacoby ought to be here as well. So, I would say Jacoby, Walker, and who else, Mike?

Mr. Perry:

Jacoby, Walker, and a representative from the Mayor's Office.

Michelle Madoff:

Okay, the problem is that the Mayor always feels that his department heads are his representatives and I think sometimes he doesn't know what his department heads are doing. So it isn't really true representation.

Now, before we close the meeting today, on the \$90,000 report, do think that the President of our Council could inquire at what status it is at and when we can have it?

The Chair:

I'm sure I can inquire.

Michelle Madoff:

That would be very kind and may I thank you for trying to do something about the draft but it hasn't been resolved. It's now gone from here over to that side and I would appreciate it if you would follow up on it.

The Chair:

They have to make special defusers.

Mr. Wagner:

Mr. President, with our public hearing tomorrow, I think it's appropriate that we make sure that various people from the Administration be present.

The Chair:

They are invited.

Mr. Wagner:

Who is invited?

The Chair:

The Public Safety Department, the Heads.

Mr. Wagner:

Who in particular?

The Chair:

Norton, Moore, Cannon.

Mr. Perry:

Director Norton, a representative from the Mayor's Office —

Michelle Madoff:

Why not the Mayor?

Mr. Wagner:

I would also suggest the Mayor himself, Mr. Cannon, Mr. DiNardo and Mr. Moore.

Mrs. Masloff moved to approve the Minutes of Tuesday, May 27, 1986 and Monday, June 2, 1986.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mrs. Masloff:

Mr. President, I move to recess this meeting until Wednesday, July 9, 1986 immediately following the Standing Committee Meeting.

Mr. O'Malley seconded the motion.

Mr. Grabowski:

Opposed.

Michelle Madoff:

What is the purpose, please?

The Chair:

The bond issue.

And on the motion of **Mrs. Masloff**

Council recessed.

Pittsburgh, PA
Wednesday, July 9, 1986

And the time of recess having expired, Council reconvened and there were present:

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Now we have to adjourn the Legislative Meeting that we recessed on Monday.

Mr. Wagner:

Mr. President, I think it should be mentioned that the public hearing yesterday was recessed also.

The Chair:

I'll talk to Mr. Givens.

Mr. Pollock:

Mr. President, I want to say something that is very important. On Monday we had a resolution similar to what Mr. Woods had introduced, regarding the POW's and MIA's and in it he mentioned a celebration this Saturday and invited people to come and I think Mr. Givens spoke for a long time about that. I wanted to put it on the record and also let the public know that this celebration has been cancelled so that people don't go down on Saturday expecting there to be something when there's not. Like I said, Dick spoke for awhile about it and it was going to be a good celebration but I don't want people going Downtown for something that's not going to exist.

The Chair:

Can I have a motion that we adjourn the Legislative Meeting that we recessed on Monday?

Mr. O'Malley:

Motion to adjourn.

Mrs. Masloff seconded the motion.

And on the motion of **Mr. O'Malley**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Monday, July 14, 1986

No. 28

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, July 14, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

ABSENT:

Mr. Givens

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. DePasquale presented

No. 1111 Resolution providing for an issuance of a warrant in favor of Trumbull Corporation (Perry J. Dick, President) in the amount of \$15,717.95 in payment of Extra Work, being in addition to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street, Phase I, payable from the Grant Street Trust Fund. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 1112 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for professional engineering services in connection with the Design of the South 12th Street Bridge Rehabilitation; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account EC 86-16.

Which was read and referred to the Committee on Engineering and Construction.

Michelle Madoff presented

No. 1113 Communication from Daryl H. Smith, Director, Department of

Water, requesting permission for Raymond Wisloski and Stanley States to attend the 59th Annual Conference of the Water Work Operators' Association of Pennsylvania at Pennsylvania State University to be held August 4-6, 1986, at a cost not to exceed \$700.00, payable from Code Account 1922.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 1114 Resolution transferring the aggregate sum of \$115,411.00 to Code Account PZCDI, Pittsburgh Zoo Capital Development and Improvement Trust Fund, from Code Account FNZ, Friends of the New Zoo Trust Fund, in the amount of \$75,411.00; and from Code Account PZMTF, Pittsburgh Zoo Membership Trust Fund, in the amount of \$40,000.00, all in the Department of Parks and Recreation. These funds are to be used for the repairs and renovations to the Shark Tank at the Pittsburgh Zoo.

Which was read and referred to the Committee on Finance.

Also,

No. 1115 Resolution amending Res. No. 127, approved February 19, 1986, effective February 24, 1986, entitled: "Providing for a Contract or Contracts for repairs and renovations to the Shark Tank at the Pittsburgh Zoo and providing for the payment of the cost thereof," by increasing the authorized amount and adding an additional funding source. Increasing the amount from \$280,837.00 to \$495,248.00, chargeable to and payable from the following Code Accounts: Code Account PZCDI, Pittsburgh Zoo Capital Development and Improvement Trust Fund, in the Department of Parks and Recreation the

amount of \$455,248.00 and Code Account 4-13-74-1720-85, Service Buildings in the Department of Engineering and Construction the amount of \$40,000.00.

Which was read and referred to the Committee on Parks and Recreation.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. O'Malley presented

No. 1116 Resolution providing for the issuance of a \$1,506.61 warrant in favor of James Hawk in full settlement for automobile damage by a Department of Public Works vehicle struck and damaged Mr. Hawks parked 1984 Volvo, payable from Code Account No. 46, Judgments.

Also,

No. 1117 Resolution transferring the sum of \$25,000.00 to Code Account No. 1042-1, Premium Pay, City Information Systems, Department of the Mayor, from Code Account No. 1043, Miscellaneous Services, City Information Systems, Department of the Mayor. The reason for this request is insufficient overtime monies needed for the remaining time in 1985 for City Information Systems personnel to accommodate emergencies in data processing for the City, as budgeted funds were utilized in the implementation of the FLSA time collection system.

Also,

No. 1118 Resolution authorizing the execution of a long term lease between the City of Pittsburgh and the Public Parking Authority of the City of Pittsburgh of the Monongahela Wharf and the Allegheny River Wharf. Under the terms of the proposed lease, the City would be returned 50% of gross receipts derived from the Monongahela Wharf and the monthly rentals derived from the Allegheny Wharf.

Also,

No. 1119 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the implementation of Foreman's Supervisory Development Program for City employees at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 1120 Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania in connection with the Employment and Training Program for Pregnant and Parenting Youth funded through the Commonwealth of Pennsylvania General Fund; providing for the execution of a Grant Contract; authorizing the City of Pittsburgh to enter into Agreements in conjunction with the Pregnant and Parenting Youth Employment and Training Program; providing for the required assurances, at a cost not to exceed \$250,000.00, chargeable to and payable from the JTPA-1 and/or the JTPA-2 Trust Funds, federal funds.

Also,

No. 1121 Resolution providing for the filing of an application by the City of

Pittsburgh with the Commonwealth of Pennsylvania in connection with the Job Training for General Assistance (GA) Welfare Recipients Program funded through the Commonwealth of Pennsylvania General Fund; providing for the execution of a Grant Contract; authorizing the City of Pittsburgh to enter into Agreements in conjunction with the Job Training and General Assistance (GA) Welfare Recipients Program; providing for the required assurances, at a cost not to exceed \$100,000.00, chargeable to and payable from the JTPA-1 and/or the JTPA-2 Trust Funds, federal funds.

Also,

No. 1122 Communication from Dan Pellegrini, City Solicitor, requesting authorization for Dan Pellegrini to attend the 51st Annual NIMLO (National Institute of Municipal Law Officers) Conference in San Diego, California from October 3-8, 1986, at a cost not to exceed \$2,500.00, payable from Code Account 1075, Miscellaneous Services, Department of Law.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 1123 An Ordinance amending the Pittsburgh Code, Title 10-Building, Chapter 1007, Section 513, et. seq - Special Historic Buildings and Districts, by providing for protection during the designation process, by providing for administrative approvals and by providing for the procedure to be followed when there is an exception to the effects of designation. —
(SPONSORED BY MR. POLLOCK)

Which was read and referred to the Committee on Public Safety.

Also,

No. 1124 Resolution approving a Conditional Use Exception under Section 993.01(a)(7) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for authorization to occupy the first floor parking garage of the new Jewish Community Center located at 5738 FORBES AVENUE, as a community (public) parking garage to be leased to the Public Parking Authority, 14th Ward.

Also,

No. 1125 Resolution providing authorization to the Urban Redevelopment Authority of Pittsburgh to utilize \$400,000.00 of Giant Eagle Urban Development Action Grant Repayment Funds for the Community Development Investment Fund.

Also,

No. 1126 Resolution approving an Agreement by and between the Urban Redevelopment Authority of Pittsburgh and Diversified Development, Incorporated and Hill Community Development Corporation in which Urban Redevelopment Authority of Pittsburgh will provide financial assistance to the purchasers of houses to be constructed in the 3rd & 5th Wards of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program. The Redeveloper is a Pennsylvania Corporation. The Officer is E. Tracey Lewis, President, One Oxford Center, Suite 3110, Pittsburgh, PA 15219.

Also,

No. 1127 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh

and Hill Community Development Corporation and Diversified Development, Inc., for the sale Parcels 70 and 124 (1801-25 Wylie and 1847-1903 Webster Avenues) in the 3rd Ward of the City of Pittsburgh in Redevelopment Area No. 31. The Redeveloper plans to construct townhouse units on these sites. The purchase price is \$1,000.00 per dwelling unit to be constructed. The Redeveloper is a Pennsylvania Partnership with an office at 1903 Fifth Avenue, Pittsburgh, PA 15219. R. Darryl Ponton is the President of the Board of Directors of the Hill Community Development Corporation and Wilbert Young is the Executive Director. The President of Diversified Development, Inc. is E. Tracey Lewis.

Also,

No. 1128 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Hill Community Development Corporation and Diversified Development, Inc., for the sale Parcel 106 (2901-15 Wylie Avenue) in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32. The Redeveloper plans to construct townhouse units on these sites. The purchase price is \$1,000.00 per dwelling unit to be constructed. The Redeveloper is a Pennsylvania Partnership with an office at 1903 Fifth Avenue, Pittsburgh, PA 15219. R. Darryl Ponton is the President of the Board of Directors of the Hill Community Development Corporation and Wilbert Young is the Executive Director. The President of Diversified Development, Inc. is E. Tracey Lewis.

Also,

No. 1129 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning

District Map No. 17, by changing: From "R3" Multiple-Family Residence District to "R2" Two-Family Residence District certain property located in the general vicinity of PENN AVENUE; the Wilksburg Borough Boundary Line; FORBES AVENUE and SOUTH BRADDOCK AVENUE, 14th Ward.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 1130 Resolution providing for an amendment to Resolution No. 427, effective June 10, 1983, as amended by Resolution No. 974, effective November 7, 1984, entitled: "Providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1983 Community Development Block Grant Program; and providing for the payment of the costs thereof," to decrease the total allocation of funds from \$13,543,000.00 to \$13,418,000.00 and make adjustments to line items and create new line items.

Also,

No. 1131 Resolution amending Section 10 of Resolution No. 167 of 1983, as amended previously, providing for the filing of a CD statement by City with HUD for a grant in connection with the

1983 CDBGF, so as to reprogram funds from the Neighborhood Commercial Facade Program to other neighborhood commercial support programs.

Also,

No. 1132 Resolution providing for an Agreement with Associate Consultants, Inc. for management and technical assistance to small, disadvantaged and minority business firms at no cost to the City of Pittsburgh.

Also,

No. 1133 Resolution providing for Agreements or Agreements with the Hill District Community Development Corporation for the purposes of planning and implementing a vacant lot treatment program in the Centre-Wylie commercial area as part of the City's Neighborhood Business District Revitalization Program at a cost not to exceed \$25,000.00, chargeable to and payable from the 1983 Community Development Block Grant Program, Department of City Planning, "Neighborhood Commercial Support Innovative Grant," (CP-83-20).

Also,

No. 1134 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the purpose of providing architectural and design services, market studies, promotional activities, Main Street commercial revitalization planning assistance, and business district management in various neighborhood business districts as part of the City's Neighborhood Business District Revitalization Program at a cost not to exceed \$207,000.00.

Which were severally read and referred to the Committee on Planning, Housing

and Development.

Mr. Wagner presented

No. 1135 Resolution providing for the issuance of a warrant in favor of the Arnold Corporation, Cleveland, Ohio 44191 in the amount of \$612.58 for Employee Time Reports, chargeable to and payable from the Department of Public Safety, Bureau of Emergency Medical Services, Code Account (EMNEAS).

Which was read and referred to the Committee on Finance.

Also,

No. 1136 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase 200 Mattress and 200 Springs for the various Fire Stations at a cost not to exceed \$11,700.00, chargeable to and payable from the Department of Public Safety Bureau of Fire, Code Account (DPSTPP).

Which was read and referred to the Committee on General Services.

Also,

No. 1137 Resolution authorizing and directing an investigation, in accordance with Section 312 of the Home Rule Charter, of the Public Safety Department and the Bureau of Police. —
-(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Public Safety.

The Chair presented

No. 1138 Petition from the residents of the City of Pittsburgh, requesting a public hearing on the Mayor's proposal to close the No. 7

Police Station. In accordance with Section 320 of the Home Rule Charter, this petition is valid.

Also,

No. 1139 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the Mayor's proposal to close 4 Police Stations (South Side, Downtown, Lawrenceville, & Oakland) the reduction of Police personnel and other administrative changes, and the poor morale among the Police force. In accordance with Section 320 of the Home Rule Charter, this petition is valid.

Which were read, received and filed.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1140

Report of the Committee on Finance for July 9, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1054

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Gamefield in the amount of \$1,640.00 covering shipping and handling charges on a Fitness Course donated through a grant from the National Fitness Campaign and West Penn Hospital; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1055

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Middle States Construction Company, in the amount of \$111,772.71 in payment of Extra Work, being in addition to the original contract price of \$5,698,500.00 on Controller's Contract No. 26815, furnished for the benefit of the City in connection with the Reconstruction of the Bloomfield Bridge - Phase III; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1056

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Conn Construction Company, (Converse Branscome, Jr., President), in the amount of \$37,205.64 in payment of Extra Work, being in addition to the original contract price of \$2,536,174.03 on Controller's Contract No. 27563, furnished for the benefit of the City in connection with the Reconstruction of the Pennsylvania Avenue Bridge and Roadway; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1061

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants, without previous authority of law, for payment in the amount of \$11,615.88 in favor of Digital Paging Systems, Roman Kozak, Regional Manager, for the rental of paging

equipment. Funds are available in Code Account 1132-2, Index Code 113225, Telephone Services and Equipment, Department of General Services."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1063

A Resolution entitled, "Resolution providing for the transfer of \$372,000.00 from Miscellaneous Services, Code Account 1922 (192203) to the Department of General Services, Rental of Motorized Equipment, Code Account 1154-1 (115410)."

Which was read.

Michelle Madoff:

I'm a little red-faced but I wonder if you could help me, Mr. Perry, on Bill 1063. My name appears on the bill and it

says, transfer of \$372,000 from Miscellaneous Services to Rental of Motorized Equipment. It was a bill that was held — What have you got?

Mr. Perry:

It was introduced in Council June 30th, in Committee July 9th.

Michelle Madoff:

What is the item for? It's for the Water Department obviously.

Mr. Perry:

They're transferring \$372,000 from the Department of Water to the Department of General Services, Rental of Motorized Equipment, Code Account 1154-1.

Michelle Madoff:

Do we know what the equipment was, specifically?

Mr. Perry:

No.

Michelle Madoff:

I move to hold the bill a week. I move to recommit.

Mr. Wagner:

Mr. President, we received a list of that equipment.

Michelle Madoff:

But I was very busy and didn't have a chance to look at it. I've been at that Task Force meeting, as you know, Thursday and Friday and I have not had a chance to do that.

The Chair:

Is there a second?

Mr. Pollock:

Second.

Mr. Grabowski:

Mr. President, as Councilman Wagner indicated, a list was presented and it was presented at the request of Michelle Madoff.

Michelle Madoff:

And I'm asking to hold it a week because I have not had the opportunity to look at it. I was at meetings all day Thursday, all day Friday, on the Task Force and I just haven't had a chance to look at it.

The Chair:

All in favor of the recommitment? Opposed?

WHICH MOTION PREVAILED.

Also,

Bill No. 1066

A Resolution entitled, "Resolution providing for an Agreement or Agreements for specialized professional services in connection with actuarial services including but not limited to costing of labor demands in the areas of pensions and health, vision, dental care and life insurance benefits, testifying at arbitration proceedings, as necessary; advising the City's bargaining team during negotiations; and providing for payment of cost thereof."

Which was read.

Also,

Bill No. 1067

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America, Equal Employment Opportunity Commission, for a grant or grants in connection with Deferral of Employment Discrimination Charges, EEOC-706 Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the EEOC-706 Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account."

Which was read.

Also,

Bill No. 1068

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America, Department of Housing and Urban Development, for a grant or grants in connection with Deferral of Housing Discrimination Charges (and related activities), HUD/FHP Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the HUD/FHP Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account."

Which was read.

Also,

Bill No. 1069

A Resolution entitled, "Resolution Repealing Resolution No. 465, Item J, approved June 3, 1986, which authorized the sale of property in the 25th Ward, being 2 - 3 Story, Brick buildings, located at 1726-28 McCullough Street, designated as Block 22-H, Lot 106, to Stephen R. Cafaro, for the sum of \$1,800.00."

Which was read.

Also,

Bill No. 1070

A Resolution entitled, "Resolution amending Resolution No. 331, Item A, approved April 23, 1986, which authorized the sale of property in the 8th Ward, being a 2-1/2 Story, Brick house and a 1 Story Brick garage, located at 110 S. Fairmont Avenue, designated as Block 50-S, Lot 55, to James L. Campbell, for the sum of \$2,500.00."

Which was read.

Also,

Bill No. 1071

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of property as described in the attached Resolution, acquired at tax sales in accordance with Act No. 171 of 1984, effective 12-11-84."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 1141

Report of the Committee on General Services for July 9, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1062

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts; or for the use of existing Contracts for the purchase and delivery of Compressor, Paving Breaker, Chipping Hammer, Vibratory Roller & Accessories for the Department of General Services, Code Account 4-30-01-0001-84, (SD 84-01) Index Code 370304, Miscellaneous Equipment for City Departments for

payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff presented

Bill No. 1142

Report of the Committee on Water for July 9, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1064

A Resolution entitled, "Resolution providing for a Contract or the use of existing Contracts for the repair of the boiler at the Mission Street Pumping Station and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 1143

Report of the Committee on Engineering and Construction for July 9, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1057

A Resolution entitled, "Resolution further amending Resolution No. 1283 of 1985, entitled: 'Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement

Program,' by creating a new line item and adjusting the Summary Totals."

Which was read.

Mr. Grabowski:

I move to amend Bill No. 1057 by adding and increasing the project West Penn Pool Rehabilitation from \$930,000 to \$1,130,000.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

Bill No. 1058

A Resolution entitled, "Resolution amending Resolution No. 390, effective April 30, 1985, entitled: 'Providing for an Agreement or Agreements or Contract or Contracts, for engineering and construction services in connection with the Design and Construction of the Main Salt Storage Dome; and providing for the payment of the cost thereof,' by amending the title to include the Satellite Salt Domes and by increasing the total project allocation by \$200,000.00."

Which was read.

Also,

Bill No. 1059

A Resolution entitled, "Resolution amending Resolution No. 395, effective May 13, 1986, entitled: 'Providing for a Contract or Contracts, or use of existing Contracts, for the fabrication and erection of a Modular Office/Maintenance Building for the Department of Public Works' Asphalt Plant; and providing for the payment of the cost thereof,' by increasing the total

project allocation by \$74,500.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Pollock presents

No. 1146 WHEREAS, the Department of Energy and GPU Nuclear Corporation have announced that radioactive fuel fragments and debris from the Three Mile Island Unit 2 Nuclear Reactor will be shipped by rail car through the Pittsburgh area later this month; and,

WHEREAS, the psychological and physical health of the people of the City of Pittsburgh are threatened by the presence of these radioactive fuel fragments and debris in or around Pittsburgh.

NOW, THEREFORE, BE IT

RESOLVED, that the Council of the City of Pittsburgh does hereby respectfully request that the Department of Energy and GPU Nuclear Corporation redirect the route of said radioactive material so that it does not go through the major metropolitan area of Pittsburgh or, in the alternative, that they inform the Director of the City of Pittsburgh's Department of Public Safety as to the date, time, and route of the rail car carrying said radioactive material so that he can take the appropriate action to safeguard the health and safety of the people of the City of Pittsburgh, and to evacuate the area, if necessary.

Mr. Pollock moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Pollock:

Discussion. I think this is a very serious matter which was covered in the local newspapers and then not followed up by any public official of the City of Pittsburgh that I know of.

For those of you who may have missed the article which appeared in the July 2nd Press and Post Gazette of this year, I just want to briefly recount what the article said. As we all know, the Three Mile Island Nuclear Plant over near Middletown, Pennsylvania had an accident about seven years ago. They're just now disposing of the radioactive waste. Incredibly enough, this waste will be carried by rail directly through the City of Pittsburgh. It will be coming from the eastern part of the state, it will go through Edgewood by railcar, through the eastern part of our City, through Point Breeze, Shadyside, right through Downtown Pittsburgh and through the Northside. There will be anywhere from

40 to 45 different trips of this nuclear waste.

The articles in the paper said that they will not inform the local officials what the exact dates or times will be. They don't feel that any particular safeguards are necessary. The article said that the Department of Energy spokesman said that there will be no special safeguards taken.

My resolution is that we ask them to reroute these 40 to 45 different railcars carrying nuclear waste so that it goes through a less populous area than directly through the heart of the City of Pittsburgh.

As we all know, last week there was a horrible railcar explosion right near Dayton, Ohio. It was exactly a similar type of tragedy that could occur here. A railroad tank car carrying poisonous fumes derailed right near Dayton, Ohio and 58 people were injured and thousands were forced to evacuate their area. Needless to say, you can all imagine what the tragedy would be if this would occur in Downtown Pittsburgh or through another part of the City of Pittsburgh.

Mr. DePasquale:

Mark, if I may. Obviously we don't want that to come through the City of Pittsburgh. What is the alternative? What area would it go through? Wherever it goes, somebody is going to oppose it.

Mr. Pollock:

But it could certainly go through a more northern route through the state of Pennsylvania which is much less populous. There are rail lines there.

Mr. DePasquale:

You're talking about more or less countryside —

Mr. Pollock:

Right. Exactly. They testify that it's going to take a long time to do this so, obviously, time and speed are not a factor.

Mr. DePasquale:

They won't let us know when it's coming?

Mr. Pollock:

That's why I'm making this motion, to send them a letter to one, first attempt to have them reroute it differently or, in the alternative, let us know when the trains are coming so that the people who might want to evacuate the area can. And if Director Norton or the appropriate people in the Public Safety Department want to provide additional safeguards, they can.

The Chair:

Thank you very much, Mark.

Michelle Madoff presents

No. 1144 WHEREAS, the morale in the City of Pittsburgh Police Department is at a low ebb; and

WHEREAS, approximately ten police officers have been moved to positions of lower salary without an explanation; and

WHEREAS, Public Safety Director John Norton stated at the Public Hearing on Tuesday, July 8, 1986 that the moves are essentially lateral transfers - not demotions; and

WHEREAS, unfortunately these individuals who have been transferred now have positions which are in lower pay categories as designated by the Union in previous labor negotiations; and

WHEREAS, we believe the loss in salary is about \$2,000.00 per position for a total sum of dollars which is not substantive; and

WHEREAS, in light of the fact that these police officers have an outstanding record of service with the City of Pittsburgh, have received numerous commendations and have risked their lives in the line of duty.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh help correct this problem of low morale in the Police Department by awarding each of these officers who have been moved laterally at a loss of pay, a merit award to recognize their outstanding, long-time service;

AND BE IT FURTHER RESOLVED, that if these awards are in violation of the Union contract, then at the next negotiations between labor and management, Council recommends that a merit bonus system be established and be made retroactive to compensate those officers for their loss of personal esteem, salary and effect on their pensions.

Michelle Madoff moved to adopt the resolution.

Mr. Wagner seconded the motion.

Michelle Madoff:

This would be as a permanent kind of recommendation when there has to be transfers and union jobs that are set up

at a certain pay scale. This is not mandatory but I think this would go a long way towards improving the morale of the City police officers and, you know, I got upset one day and was in tears here, out of frustration, and I know that all of us witnessed the police officers that were here, men who were in tears.

I think that this might be something that would go a long way to helping the situation and I would hope that my colleagues would adopt that.

Mr. O'Malley:

Some of those officers that were demoted were friends of mine, or at least acquaintances. Some of them have done an outstanding job for the City of Pittsburgh. My only concern is that I feel the resolution is illegal, even though it is a non-binding resolution. I'd like to have an opinion from the Law Department because I think this should be part of collective bargaining. In essence, they did lose approximately \$2000 of their salary, but they were brought from one grade title to another grade title. So, before I would vote on that, I would like to have a legal opinion.

Mr. DePasquale:

I was more or less going to say the same thing Mr. O'Malley said with the exception that this is strictly a matter for arbitration or the FOP Grievance Committee. I see what you're trying to do, Michelle, and I think we all sympathize with you, but other than letting our feelings be known, there's not a thing we can do about it.

Mr. Wagner:

Mr. President and members of Council, I think it's important that we don't give these officers a false hope.

This is simply a will of Council, it is not a formal resolution. It does not have to be formally acted upon. For that matter, it is simply just a message and it's important to note that, truly, we'd like to see this issue resolved. I really don't think, though, that this is the core of the issue. The core of the issue is not the \$2000; the real core of the issue is that people were demoted and transferred without explanation. We could give them \$5000 rather than \$2000 and I don't think that would correct the situation. Therefore, because it is simply a will of Council, I will support it but in essence, it's not saying really what needs to be said.

Michelle Madoff:

If you will recall, for those of us who remained until the end of the day, when it was suggested, and I believe I suggested it at the time which is why I followed through with the resolution, that if those who were, and I asked Mr. Norton whether indeed it was a lateral move, not a demotion, and he said it was a lateral move, it was not a demotion, he wanted everybody acquainted with all departments, etc., and here were outstanding officers who had been given merit awards, had no black lists against them on their portfolio, and when I said that if they received their funds, at least they would not feel that they were demoted, that indeed, it would be a lateral move. And they applauded. Those were the people who testified and felt that it had gone a long way to their personal esteem, if at least they weren't being punished by a demotion. Unfortunately, as it exists presently, the job category dictates the salary.

I'm saying in the second paragraph, Mr. O'Malley, because you have a valid point, that I'm addressing your concern. I'm saying that since it may not be legal to give a merit award, that I'm

suggesting and urging in negotiations that the next time you set up a mechanism if somebody is transferred to a job with lesser pay, that there's a mechanism for a merit salary.

It's only a will to say that we are united behind those who came here, stood up in front of us, and really poured out their guts to us, to show that we support the fact that not only has their self-esteem been affected but that indeed we are saying they should be reimbursed certainly at their existing salary. They've been there so many years and I can't believe that we would not have this as a joint will, all of us saying yes, this is what we'd like to see happen, and that, perhaps would carry over into the negotiations.

The Chair:

I have no problem with it other than the money. There are many, many police officers who get citations everyday for outstanding duty. If we would say that these people are going to get \$2000 because they were put in another job class because of their outstanding duty in the past, what about all the other officers. If you could reword it and take out the money, I'd vote for it in a minute.

Michelle Madoff:

I think you have a very good point. The money factor was the number of dollars that the officers had lost in the lateral transition. There was \$2000. Each of them said they lost \$2000. So, what I was suggesting is that the money they had lost by going to a lower position, it would be like, say the Council had a higher salary for the President of Council and that President did an outstanding job but for some reason, perhaps he was ill, and he came back and somebody else was acting in his

place, take the money away from him. It would not be fair; it would not be just. We give merit bonuses to employees of the City all the time; we give them to City Council staff when you recommend merit bonuses.

I think these people have outstanding credentials, we move them into what is known by Mr. Moore as a lateral position, not as a demotion. Then let's, for God's sake, pay them at the rate they have achieved by long hard work and let's not take away from their self-esteem.

That's in principle what I'm asking and the \$2000 is the money they lost. We can take out the specific number but we can say that a merit award should be given to compensate them for their salaries. If we don't do that we're just saying we don't want to give them anything.

Mr. O'Malley:

Michelle, where I have the problem with this is any police officer can be promoted to the grade of Detective and act in that capacity for a number of months or a number of years and then be returned to his former duties. This has been going on for as long as the Police Department has been in the City of Pittsburgh, as far as I know.

If you would do that for these particular officers that were transferred into the Detective branch and then relocated back to their former duties, all throughout the Police Department and the City of Pittsburgh we have acting sergeants, they might be an acting sergeant or an acting lieutenant for months, six months, up to a year, and then transferred back to his former duties. We have people that are acting foremen; there might be an acting foreman in Parks and Recreation for a

number of months and then transferred back to his former duties.

I think the intention of the resolution is good. I just think it's in direct conflict with the salaries that people are paid according to their job titles. All throughout, every day we have people in a capacity of acting foreman, acting lieutenants, acting sergeants, and the grade of pay goes up for that time period, and then when they return to their former job duties, then their pay is decreased.

Michelle Madoff:

I don't think this is exactly the same case. I think these people were outstanding exemplary officers that were arbitrarily moved and I think those people should get a merit bonus and that a system should be set up in labor negotiations to provide for merit bonuses for those people who have been exemplary in their work. I think it encourages people to do a better job and it shows appreciation.

I will yield to the President of this Council if you would care to give some other wording.

The Chair:

I would go along with the resolution that you are suggesting, that they negotiate into their wages a merit raise but take these dollars out —

Michelle Madoff:

Fine. I'm not married to the words, just the concept, and I would like to get unanimous support for our police officers. I accept that and I amend it as so.

The Chair:

Okay, we're taking out the money factor.

Michelle Madoff:

The exact number of dollars, but the principle is still there. Thank you for the help, Mr. President.

The Chair:

All in favor? Opposed?

WHICH MOTION PREVAILED.

Michelle Madoff presents

No. 1145 WHEREAS, McArdle Roadway is the only direct route to Mount Washington; and

WHEREAS, over \$3 million was spent on repairing and rebuilding McArdle Roadway for the past seven years; and

WHEREAS, the construction required the restriction of traffic and a complete shutdown at times; and

WHEREAS, these shutdowns inconvenienced residents and had a devastating impact on real estate, restaurateurs and retail businesses in Mount Washington; and

WHEREAS, another phase of reconstruction is needed to address the accelerated deterioration of sidewalks and walls because dollars for this phase of the project were not allocated in the first phase; and

WHEREAS, before replacing and repairing the walls, trees must be removed from the hillside with subsequent seeding to help prevent erosion and landslides; and

WHEREAS, Mr. Paul McDermott stated that he did not know when funds would be available in the Capital Budget to undertake completion of this dangerous situation of boulders rolling down hills and water running onto the road which froze and caused a near-fatal accident last winter.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes that the completion of work on McArdle Roadway must be undertaken immediately in its entirety to insure safe access to and from Mount Washington, the number one tourist attraction in Pittsburgh, so as to finally end these negative effects on the residential and business community of Mount Washington.

Michelle Madoff moved to adopt the resolution.

Mr. Pollock seconded the motion.

Michelle Madoff:

May I add that there is a waterline going in in July on Grandview Avenue which will further impact on this problem.

Discussion. Mr. President, we had a post agenda hearing here one day with Mr. McDermott. I don't believe anyone but Mr. Pollock and I remained for it, everybody was busy, and I earlier, at another meeting, showed pictures of boulders on Mount Washington. When the media called Mr. McDermott to ask him whether Michelle Madoff was correct and that McArdle Roadway would be shut down, he said, "Oh, no, it will not", but I suggest to you that not only was it shut down one Saturday, all day, just one lane, but another time we shut down for two or three hours both ways, on another

Sunday.

The crews came up from Public Works or Construction and Engineering, and removed a huge boulder which could have been devastating to the community. At that post agenda, I asked Mr. McDermott, and I have the transcript, whether he could do something about at least repairing the sidewalks because we have joggers going down that hill and the fact that the City carries its own liability, we're our own insurance people, whether we could expedite that and what it would take to expedite it. He outlined for us the procedure. He basically stated that he could not do it without going to a consultant. That's the same day we voted \$5000 for a consultant on lighting which we didn't need.

Subsequently I learned and requested from another department, an existing design specification that has been in existence, it was approved September 11, 1978 which specifies exactly how a sidewalk is prepared and exactly how a curb is prepared. We don't need a consultant. All you have to do is measure how many feet you want and put it out for bid.

Many times in this Council I have asked Mr. McDermott why he has an overrun on something and he'll say because we were there. And I'll say, in other words, it was more cost effective to do it at that time. He'll say, "Yes, that's the case", and I said, "Good work, Mr. McDermott."

Now, I have been very unsuccessful in getting Construction and Engineering to take notice of this very serious problem. Last Wednesday evening I was meeting some friends at the Shiloh Restaurant in Mount Washington. I was going up the right hand lane and about two-thirds of the way up, three-quarters,

I'm not too sure, I noticed a small boulder sitting in the Roadway. I would like to present that boulder as a concrete example and I want you to know I picked it up with my right arm, not my left arm.

One picture is worth a thousand words. This was sitting on the opposite side of the road. I stopped the car, waved to the car behind me and said, "Hold it, hold it, wait a minute", got out and picked this up with my right arm, pick it up, put it in my car, took it to the Shiloh and they washed my car down because it was a mess, I had difficulty getting it in. If this boulder, and it is substantive, and it was underneath where the huge boulder had been that we had picked up, if an on-coming car, and it was about 9:00, had hit this it could have gone into on-coming traffic and we could have had a fatal collision. At the very best, it would have done some very severe damage to anybody's car going from Mount Washington down McArdle Roadway.

I'm going to present this to Mr. McDermott to put on his desk or somewhere in his office so that he will remember to put this on a priority, that means McArdle Roadway and the problems of Mount Washington. It's time that we don't have post agendas, it's time that we don't have to go out with consultants to pay for existing plans, and perhaps this kind of example will bring it to his attention and I would urge that you support that.

The Chair:

Save that tissue paper; it looked nice when you carried it up.

WHICH MOTION PREVAILED.

Mr. Wagner:

Mr. President and members of

Council, for the sake of public information, I wanted to bring it to the attention of the public the fact that there is a post agenda this Wednesday scheduled for 1:30 p.m. here in Council Chambers pertaining to the reduction of zones or precincts from nine to five in the City of Pittsburgh. At that post agenda, each community will be permitted to have a representative speak for a couple minutes as it relates to their concerns.

The reason for the post agenda, obviously, is that the proposal to go from nine to five zones is scheduled to take place next Monday. We have already received two petitions; from my understanding, others are coming. The public will not have the opportunity to speak and be heard prior to the reduction in precincts and the elimination of certain precincts from their neighborhoods; therefore, the reason for the post agenda this Wednesday. I think it's important that they are heard, I believe that the plan, if it is a legitimate plan, then it should have public scrutiny and members of the public should be able to talk about what they consider to be the negative aspects of the plan and members of the Public Safety Department and possibly the Mayor may want to comment or respond to the public.

There has also been discussion that it could possibly be three zones in the future; at this time it's just five but I believe it's important to have this meeting and again, it's this coming Wednesday at 1:30 in Council Chambers.

Mr. Pollock:

I just wanted to make a few corrections in the Minutes. I think they're just typos. June 23rd, page 823, on the fourth line of my testimony, it says, "this Council to" and should be "this

Council does". On June 16th, page 785, line 3, it has "Rembo" and it should be "Rambo". There's a few more.

Michelle Madoff:

Why don't we just accept them as amended?

Mr. Pollock:

Alright.

One other thing, I wanted to let everybody know that a week from Saturday, July 26th, the Pittsburgh Pirates are sponsoring a concert after the ballgame and it's also City Council night at the ballpark. City Council has obtained several rows of seats in Box 37 so I want all the public to come to the game, come to the concert, and come on down and visit with us and you can dance with us at the concert after the game is over. Box 37, a week from Saturday.

Mr. Wagner:

Mr. President, I'd like to make a motion that we televise the upcoming post agenda on Wednesday.

The Chair:

We have a rule, and I won't honor your motion, Mr. Wagner. No informal meetings are to be televised whatsoever. We can make a motion to televise hearings but not informal meetings and that's what post agendas are.

Michelle Madoff:

One quick point, tomorrow's hearing, did we hear, Mr. Perry, from the Board of Education? They want to be on the agenda and to set up, to report to us what has happened. It seems that they've already resolved most of the

problems so it would save us many, many testimonies if, indeed, they present their position first of all.

Mr. Perry:

Superintendent Wallace could not be here.

Michelle Madoff:

Somebody will be here, though.

Mr. Perry:

I informed President Jake Milliones to be here and I haven't heard yes or no.

Michelle Madoff:

Well I had a call last night at about 9:30 at my house from someone who said that they will call today and they will have somebody here. My understanding was that it had been resolved and they're going to report on the status of the health clinics and whatever so that — Well, they want to be scheduled to be on the agenda early on so they can answer the questions before the become —

Mr. Perry:

According to Jake Milliones, it is not settled, as of now.

Michelle Madoff:

There is some report and let them make whatever the report is. I don't know exactly what it is.

Mr. DePasquale moved to excuse Mr. Givens for absence from the meeting.

Michelle Madoff seconded the motion.

Which motion prevailed.

Michelle Madoff moved to approve the Minutes of Monday, June 9, 1986, Monday, June 16, 1986 and Monday, June 23, 1986.

Mr. Pollock seconded the motion.

Which motion prevailed.

Mr. O'Malley:

I move to recess this meeting until Wednesday, July 16, 1986 immediately following Council's Standing Committee Meeting.

Mr. DePasquale seconded the motion.

Mr. Grabowski:

Opposed.

And on the motion of **Mr. O'Malley**

Council recessed.

Pittsburgh, PA
Wednesday, July 16, 1986

And the time of recess having expired, Council reconvened and there were present:

PRESENT:

Mr. Grabowski	Mr. Pollock
Mrs. Masloff	Mr. Wagner
Mr. O'Malley	Mr. Woods
	(Pres't)

ABSENT:

Mr. DePasquale	Michelle Madoff
Mr. Givens	

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of

America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Monday's Legislative Meeting will now come to order.

The reason we recessed was that we thought we would have a bond issue today, so at this time I need a motion to adjourn Monday's meeting.

Mr. O'Malley:

So moved.

Mr. Wagner seconded the motion.

And on the motion of **Mr. O'Malley**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Monday, July 21, 1986

No. 29

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, July 21, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't)

ABSENT:

Mr. Givens

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

We're going to present a resolution that Mr. Pollock has and the person he's presenting it to is in the audience and we don't want them to wait very long.

Mr. Pollock:

I have with me here today Pete Dimperio, Jr., his wife, Mary, and Mr. Frank Gustine, Sr.

Mr. Pollock presents

No. 1187 WHEREAS, Peter P. Dimperio passed away on July 15, 1986; and

WHEREAS, "Mr. Pete" as he was both affectionately and respectfully known, coached at Westinghouse High School from 1946 until 1966, compiling a record of 118 wins, 5 losses, and one tie, and winning 17 City League titles; and

WHEREAS, Pete was respected as much off the field as on and he was able to instill responsibility and discipline in young men, which resulted in over 200 of his players earning college athletic scholarships; and

WHEREAS, Pete was named Dapper Dan Man of the Year in 1954 and is to be inducted into the Football Coaches Hall of Fame in August of 1986; and

WHEREAS, Pete both practiced and taught tolerance and respect, encouraging his young players to

associate with one another and coaching teams comprised of Blacks, Italians and other ethnicities; and

WHEREAS, we were all blessed to have had Pete touch our lives.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh join with Pete Dimperio's wife, Adeline Villella Dimperio, their daughter and son, other family members, and Pete's many friends and admirers in Pittsburgh and across the country, in mourning the loss of this great coach, unique leader, and wonderful man.

Mr. Pollock moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Pollock:

I'd like to call upon Pete's son and daughter-in-law and Frank Gustine to say a few words about Pete if they would.

Mr. Dimperio:

Our family sincerely appreciates the efforts of Mr. Pollock in presenting this resolution.

As you're all aware, Pete spent all his coaching years in Pittsburgh, he loved Pittsburgh, and we feel he was good for Pittsburgh.

Thank you.

Mr. Gustine:

Mr. President, members of Council, and my old pal Jeep, it's certainly a pleasure and an honor to be here to speak

on behalf of my dear friend Pete Dimperio.

Anyone who knew Pete Dimperio loved him and, of course, respected him deeply. I have had many thoughts on it and, as Jeep said, we have lost many dear friends in the past year or two.

I didn't want to miss anything here; I do want to thank Mark for inviting me down. It's very kind of you, Mark, and I thank Council for passing this resolution for a dear man.

I have written some things here because I wanted to be sure to get it proper. I think, before I start, you could write a book about Pete Dimperio. Pete and I have been friends for about 38 years. As most of you who ever met Pete Dimperio know, he was a marvelous man and fine inspiration for all of us.

I wrote down just a few thoughts that I thought perhaps Council would enjoy as I did writing it. Pete was always an outstanding teacher and coach. This is what he believed in in every line of work, a thorough knowledge of the subject, especially in coaching and especially with people. It brings to the individual four important moral qualities. Pete taught courage, and it takes courage to initiate anything, as you well know here in Council. Confidence for self-assurance is demanded whenever we carry out a responsibility effectively. Poise where we must command the respect of others, and as Pete would always say, you earn respect, you earn respect. If we are to get any cooperation, above all, enthusiasm, because to hold the attention of others as Pete did for so many years, we must fire and inspire them with the same interest.

Pete was always an outstanding coach with the unusual ability to relate

to his players. Of course, the lives of these players were changed from young boys to men. He sent over 240 to college and they have all contributed to the City of Pittsburgh in one way, professionally; great dentists, great architects, great construction people. Pete just touched everybody. And I would think the main thing above all is the fact that he made citizens out of these young boys who were looking and reaching out for that help.

So, thank you for paying tribute to my dear friend, Pete Dimperio, for the example and inspiration that he leaves with us. I often said, he is gone but he will never be forgotten.

Again, thanks to Council for this resolution. Thank you for inviting me up here; it's a great honor. And continue your good work. Thank you.

Mr. DePasquale:

I just wanted to say that I was away last week and was shocked to find out Sunday night about Pete's death so I couldn't pay my respects to the family and I want to convey my sorrow.

I go back with Pete to 1936 when he was the basketball coach at an area junior high school. A lot of people don't know that but Pete then was a great basketball fan and he went from there to Westinghouse. That's how far back we went, and with Frank almost as far back. But he's been a great friend and he's certainly going to be missed. He was probably one of the greatest figures in the history of the City of Pittsburgh.

Mr. DePasquale presented

No. 1146 Resolution providing for the issuance of a warrant in favor of DePasquale Brothers (Fred DePasquale, President) in the amount of \$1,121.00 in

payment of Extra Work, being in addition to the original contract price of \$68,717.00 on Controller's Contract No. 27723-F, furnished for the benefit of the City in connection with the Reconstruction of the Cuthbert Street Steps, payable from Code Account CDEC 85-21. (PRIOR APPROVAL GRANTED)

Also,

No. 1147 Resolution providing for the issuance of a warrant in favor of Criscella Construction Company (Emeric A. Criscella, President) in the amount of \$513.00 in payment of Extra Work, being in addition to the original contract price of \$45,825.00 on Controller's Contract No. 27188F, furnished for the benefit of the City in connection with the Handicapped Modifications to Special Populations Program Centers, payable from Code Account CDEC 85-60.

Which were read and referred to the Committee on Finance.

Also,

No. 1148 Resolution further amending Res. No. 319, effective April 10, 1985, as amended by Res. No. 1081, effective December 4, 1985, as amended by Resolution No. 122, effective February 24, 1986, as amended by Resolution No. 288, effective April 16, 1986, entitled: "Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants, to perform professional services on various City Facilities on an "as-needed" basis, in response to the Capital Budget Program; and providing for the payment of the cost thereof," by increasing the total project allocation from \$296,301.50 to \$346,301.50.

Also,

No. 1149 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the Rehabilitation of the Columbus Avenue Bridge and the Demolition of the Allegheny Avenue Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation at a cost not to exceed \$85,000.00, chargeable to and payable from Code Account EC 86-23.

Also,

No. 1150 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the Rehabilitation of the Schenley Park Underpass at a cost not to exceed \$45,000.00, chargeable to and payable from Code Account EC 86-13.

Also,

No. 1151 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Construction Inspection Services in connection with the Reconstruction of Grant Street, Phase II at a cost not to exceed \$150,000.00, chargeable to and payable from the Grant Street Trust Fund.

Also,

No. 1152 Resolution amending Res. No. 815, effective August 23, 1985, entitled: "Providing for a Contract or Contracts, or use of existing Contracts, for the installation of lighting at Allegheny Commons Park; and providing for the payment of the cost thereof," by increasing the total project allocation from \$50,000.00 to \$100,000.00, chargeable to and payable from EC 85-45

- \$50,000.00 & EC 86-62 - \$50,000.00.

Also,

No. 1153 Resolution providing for a Contract or Contracts, or use of existing Contracts for the construction of the Emergency Medic Station No. 2 at Bausman Street and Saw Mill Run Boulevard at a cost not to exceed \$230,000.00, chargeable to and payable from LB 83-05 - \$155,000.00 & EC 85-48 - \$75,000.00.

Also,

No. 1154 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting permission for himself to attend the 1986 International Congress on Technology and Technology Exchange Preliminary Program at the Sheraton Hotel at Station Square on October 6-8, 1986, at a cost not to exceed \$300.00, payable from Code Account 1482.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Grabowski for Mr. Givens presented

No. 1155 Resolution vacating a portion of an unnamed way from Bothwell Street for a centerline distance 68 feet eastwardly in the 26th Ward of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1156 Resolution providing for a Resolution authorizing the City of

Pittsburgh to incur lease rental debt in the amount of \$_____ by entering into an equipment lease and an amendment to an existing lease with City of Pittsburgh Leasing Authority at annual rentals in varying amounts which will be sufficient to pay the principal of and interest on the Authority's equipment revenue bonds, Series of 1986-A and Series of 1986-B, the proceeds of which will be used to pay the cost of acquiring equipment and refunding the Authority's outstanding Series of 1982-A Bonds, respectively, and paying financing costs relating to each series; approving the form of lease and amendment and authorizing execution of the official statement relating to the Authority's bonds.

Which was read and referred to the Committee on General Services.

Mr. Grabowski moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Michelle Madoff presented

No. 1157 Communication from Daryl Smith, Director, Department of Water, requesting permission for Raymond Wisloski and Stanley States to attend the 59th Annual Conference of the Water Work Operators' Association of Pennsylvania at Pennsylvania State University from August 4-6, 1986, at a cost not to exceed \$700.00, payable from Code Account No. 1922.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 1158 Resolution providing for an Agreement or Agreements with an independent contractor for the purpose of furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1986 at a cost not to exceed \$19,500.00, \$15,000.00 chargeable to and payable from Code Account 1837, and \$4,500.00 chargeable to and payable from Special Parks Program Trust Fund.

Also,

No. 1159 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Charles Wikenhauser, Thomas Walsh, Randolph Goodlett and Dennis Maxim to attend the American Association of Zoological Parks and Aquariums' National Conference in Apple Valley, Minnesota. Mr. Wikenhauser will be attending from September 11-19, 1986, and all others will be attending from September 14-19, 1986, at a cost not to exceed \$5,000.00, payable from Code Account 1852.

Also,

No. 1160 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Henry L. Kacprzyk to attend the Seventh Elephant Management Workshop in Calgary, Alberta, Canada from September 24-27, 1986, at a cost not to exceed \$1,055.00, payable from Code Account 1852.

Also,

No. 1161 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Susan E. Davis to act as United States Cerebral Palsy Coach for

the U.S.A. Cerebral Palsy Sports Team competing within the First CNA-AM Games for the Disabled in Windsor, Ontario, Canada from August 1-4, 1986, at no cost to the City.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 1162 Resolution providing for the issuance of a \$949.79 warrant in favor of Edward Bloomer in settlement of claim for automobile damage by a Bureau of Refuse vehicle, payable from Code Account No. 46, Judgments.

Also,

No. 1163 An Ordinance providing for the establishment of the Pittsburgh Business and Labor Commission. —
(SPONSORED BY MR. O'MALLEY)

Also,

No. 1164 Resolution amending Resolution No. 19, approved January 29, 1986, effective February 4, 1986, entitled: "Providing for an Agreement or Agreements with Court Reporter or Reporters in connection with the taking of testimony at Civil Service Commission and Appeal Board Hearings; and providing for the payment of the cost thereof," by increasing the allocated amount from \$1,000.00 to \$3,000.00, chargeable to and payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 1165 Resolution authorizing the City to enter into an Agreement or Agreements in the form of a sublease with the County of Allegheny, the Public

Auditorium Authority of Pittsburgh and Allegheny County, and Grant-Liberty Development Associates for the purpose of locating, constructing, reconstructing, using, repairing and maintaining a bridge between the Liberty Center Hotel and the Convention Center.

Also,

No. 1166 Resolution providing for a Contract or Contracts or use of existing Contracts for the furnishing, delivery, and installation of Mailroom Equipment and Mailroom Furniture for the Department of Finance at a cost not to exceed \$16,500.00, chargeable to and payable from Code Account No. 1066, Equipment, Department of Finance.

Also,

No. 1167 Resolution Repealing Resolution No. 1202 of 1985 and establishing the Retiree's Pension Fund Trust Fund and certain funding and disbursement guidelines for such trust fund and authorizing and directing the appropriate City Officials to carry out such guidelines.

Also,

No. 1168 Resolution providing for the filing of a petition or petitions for the sale of property or properties, acquired at tax sales in accordance with Act no. 171 of 1984.

Also,

No. 1169 Communication from Dan Pellegrini, City Solicitor, requesting permission for Robert B. Smith to attend the Third Circuit Judicial Conference in Princeton, New Jersey from September 21-23, 1986, at a cost not to exceed \$650.00, payable from Code Account No. 1075.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 1170 Resolution transferring the sum of \$2,729.00 from Code Account No. 1103, Miscellaneous Services to Code Account No. 1104, Supplies, Department of City Planning. This request is being made because invoice 4692, a contract for zoning maps, was inadvertently processed through Code Account 1104, Supplies instead of 1103, Miscellaneous Services.

Which was read and referred to the Committee on Finance.

Also,

No. 1171 Resolution providing for an Agreement or Agreements with the Lemington Home for administrative assistance and operating funds in an amount not to \$250,000.00, chargeable to and payable from the 1976 Community Development Block Grant Program, "Unspecified Local Options".

Also,

No. 1172 Resolution Repealing Resolution No. 74, effective February 17, 1977, entitled: "Providing for a Contract or Contracts for the rehabilitation and renovation of the Kingsley House, located at 220 Larimer Avenue, Pittsburgh, Pennsylvania at a cost not to exceed \$300,000.00, chargeable to and payable from Community Development Unspecified Local Options 1976," is hereby repealed.

Also,

No. 1173 Resolution amending Resolution No. 256, effective April 2, 1986, entitled: "Providing for a Single Room Occupancy Housing Demonstration

Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$1,000,000.00 in tax exempt financing and developer's equity as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs." The amendment would provide for the transfer of the DCA funds from the City to the Authority upon receipt by the City.

Also,

No. 1174 Resolution further amending Resolution No. 303, effective April 11, 1979, as amended by Resolution No. 1136, effective December 21, 1979, as amended by Resolution No. 967, effective September 24, 1982, as amended by Resolution No. 928, effective October 16, 1985, providing for a Cooperation Agreement or Agreements between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh to implement certain components of the Urban Development Action Grant Program (UDAG) by increasing the total allowable amount from \$6,343,692.81 to \$6,500,731.64, chargeable to and payable from the Urban Development Action Grant - North Side Account. The funds will be used by the Authority to fund loans for North Side residents.

Also,

No. 1175 Resolution authorizing a Fourth Amendatory Industrial Land Reserve Fund Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the payment to the Authority of the sum of \$400,000.00 to be used for site improvements and development costs associated with the Pittsburgh Technology and Industry Park (J & L

Development Site), chargeable to and payable from Pittsburgh Technology and Industry Park (J & L Development Site).

Also,

No. 1176 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and 1400 Brighton Associates for the sale of Parcels 7 and 8 (1330-1410 Brighton Road) in the 22nd and 25th Wards of the City of Pittsburgh in Redevelopment Area No. 49. The redeveloper plans to construct a three-story office building with retail space on Parcel 8 and will use Parcel 7 for parking facilities. The purchase price is \$2.00 per square foot. The redeveloper is a Pennsylvania limited partnership with an office at 1437 Western Avenue, Pittsburgh, PA 15233. The General Partner is Tom Mistick & Sons, Inc., a Pennsylvania Corporation. D. Thomas Mistick is the President and M. Robert Mistick is the Secretary-Treasurer. The Central North Side Neighborhood Council is a Special Limited Partner.

Also,

No. 1177 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Ed Wells to attend the Urban and Regional Information Systems Association Conference to be held in Denver, Colorado from August 8-14, 1986, at a cost not to exceed \$1,300.00, payable from Code Account 1103.

Which were severally read and referred to the Committee on Planning, Housing and Development.

The Chair presented

No. 1178 Communication from the Stadium Authority, submitting a report

on Examination of Financial Statements for years ended March 31, 1986 and 1985.

Which was read, received and filed.

Also,

No. 1178-A Communication from the Stadium Authority submitting a Report on Examination of Financial Statements for years ended March 31, 1986 and 1985.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1179

Report of the Committee on Finance for July 16, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1086

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of National Training Corporation in the amount of \$10,009.65 in payment of training materials for field inspectors; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1088

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Norwood, Inc. in the amount of

\$6,999.62, A.R. Chambers & Son, Inc., in the amount of \$46.20 and Knickerbocker Russell Co., Inc. in the amount of \$1,087.00, for a total payment of \$8,132.82 for emergency repairs of a damaged sewer on Center Avenue at Neville Street and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1091

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Bee-Kim Co., Inc. in the amount of \$3,667.66 in payment of restoration of floors at Schenley Skating Rink for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Bill No. 1096

A Resolution entitled, "Resolution providing for a Contract or Contracts or use of existing Contracts for the furnishing, delivery, and installation of work center equipment-work surfaces, drawers, panels, shelves, lights, connectors, etc., revolving type file units and accessory items, and a mobile file unit storage system in connection with the remodeling of the Billing and Tax Information Office, Wage and Occupation Tax Computer Room, and various offices in the Department of Finance; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1063

A Resolution entitled, "Resolution providing for the transfer of \$372,000.00 from Miscellaneous Services, Code Account 1922 (192203) to the Department of General Services, Rental of Motorized Equipment, Code Account 1154-1 (115410)."

Which was read.

Also,

Bill No. 1114

A Resolution entitled, "Resolution transferring the aggregate sum of \$115,411.00 to Code Account PZCDI, Pittsburgh Zoo Capital Development and Improvement Trust Fund, Index Code 253708, from Code Account FNZ, Friends of the New Zoo Trust Fund, Index Code 252106, in the amount of \$75,411.00 and from Code Account PZMTF, Pittsburgh Zoo Membership Trust Fund, Index Code 253757, the amount of \$40,000.00, in the Department

of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski for Mr. Givens presented

Bill No. 1180

Report of the Committee on Public Works for July 16, 1986 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1089

An Ordinance, "Ordinance amending the Pittsburgh Code, Title Six - Conduct, Article III, Subchapter 635.01. to allow the Director of the Department of Public Works to permit scenic tours by horse drawn carriages."

Which was read.

Mr. Wagner:

I'd like my comments brought forward from the meeting last Wednesday for the Record.

(BEGINNING - MR. WAGNER'S
REMARKS - BILL NO. 1089 -
WEDNESDAY, 7/16/86)

Mr. Wagner:

Director, could you give us an update - I know there have been several meetings - what has been resolved, what are we proposing to do, and when is it proposed to be implemented?

Director Gaetano:

Yes, we've had a few meetings, which Mr. Serpa has chaired the meeting for me. The different members of the particular meetings were representatives from Councilman Woods' office, Louise Brown's office, Howard Hayes; representatives from the Humane Society were there, representing the horse-drawn carriage industry, Mr. Howard, Mr. Johnson, Mr. Gordon; representatives from Councilman Givens' office, and the Law Department.

In the particular meetings we talked basically of only having the horse-drawn carriages Downtown. The legislation specifically says the central business district and nowhere else, Jack. We've discussed as to the hours, the insurance, the permits, the housing, the droppings, of how to clean, the boarding areas, requirements of the drivers, different insurance requirements of which the City of Pittsburgh will be made part of. I think we went through every aspect there was. We also discussed the different types of permits that are given out by New York,

Chicago, Washington, Cleveland, Philadelphia, and we've been in touch with their cities as to how they operate a particular system.

The actual service would only be on off-traffic hours Downtown, after six o'clock or Saturdays and Sundays or a holiday, and that's the only time it would be done. We have discussed two particular areas Downtown to have the particular horse-drawn carriage services. I think now even the Humane Society has given us letters and said if it's going to happen that there are different things that they want done and they were all in agreement, which I have their letters here.

So, I think we went over every aspect of a horse-drawn carriage there is, Jack, and we're all in agreement, and I'd like to see this happen in the City.

Mr. Wagner:

In regard to when it will happen if this passes, when do you anticipate? Is there bidding for these certain locations where the carriages will be in effect, or how is that implemented and how is that awarded?

Director Gaetano:

In talking with the Law Department, eventually there will be bidding, yes, as to the percentage basis that the City will receive as to having something like that. But in our discussions with the Law Department, what we want to do is to have basically a trial basis for maybe the rest of the year, okay? Yes, I can go out on a bidding arrangement even on the trial basis, or give it out to just whoever, just on a trial-basis period to see if it works.

I'm in favor of the bidding, absolutely, but we're only talking on a

trial period for summer to see how it works.

Mr. Wagner:

Well, how long will a contract be awarded for?

Mr. Serpa:

We talked about the contract and we felt that a two-year contract is what it would be. It would take at least the first year to get the carriages and horses and everything started. They would have to rent a structure in the general area in order to house the carriages; they'll have to make arrangements to haul the horses from, there's three different locations, one up North Park, one up by Schenley Park, and I just forget where the other one is right now, but three different locations they'd have to haul them in. All these preparations would have to be done.

The carriages would have to be specially constructed for the safety equipment that's required on them. We feel that a two-year contract is what it would take for these people who are going to test this area.

Mr. Wagner:

What are the precise locations where the tours will be permitted?

Mr. Serpa:

Because of the terrain Downtown, and because of what the Humane Society has told us that they require for the horses to be able to move through the City of Pittsburgh, there's two different locations that we have decided would be a good test area; one would be starting at the Hilton down by the Park, down by the Point, would go along Stanwix Street, up Fourth Avenue, cross Wood Street to

the Fort Pitt Boulevard, down Fort Pitt Boulevard to Commonwealth Place, across Commonwealth Place and back up Duquesne Boulevard, across 7th Avenue, down Penn Avenue, and back to the Hilton Hotel would be the loop. It would be less strain on the horses, the carriages, and it would be the scenic area for the Point as well as the Three Rivers and Mount Washington, all at the same time. The second location would start at the U.S. Steel Building, or the Mellon Towers Building, would start in the general area where the subway is, come from there down Grant Street, all the way down to Liberty, and then onto 12th Street, down 12th Street to Penn, come up past the Convention Center, back up onto Grant — come up Liberty Avenue and up 5th Avenue to Grant Street, behind the Mellon Towers Building, make the complete loop.

Mr. Wagner:

In other words, contracts would be awarded for those two different tour routes.

Director Gaetano:

Correct. Yes.

Mr. Wagner:

Any discussion of any routes on South Side, North Side?

Director Gaetano:

No. At this time, Jack, the legislation that you have in front of you is strictly central business district. If it works out then I think we'll reconvene the same committee that we have had before and discuss the other areas of the City, but right now we're only talking, and the legislation is very specific, as to central business district.

Mr. Wagner:

And Mount Washington has been excluded.

Mr. Gaetano:

Absolutely.

Mr. Wagner:

Okay. Just a couple other questions. The safety of the horses, the people on them, what type of procedures have been implemented to insure that we are reducing to a minimum the potential for accidents with them in terms of conflicting with motor vehicles?

Director Gaetano:

Well, the first thing is that we do not permit them during the daylight hours and during the rush hours at all. It's basically when the Downtown is a lot freer of traffic than it is all day long. The drivers have to be skilled in the actual use of a horse; they have to be a certain age and have so much experience with the horses. The horse cannot be operated when the temperature reaches any more than 85 degrees. The horses can only be used six hours of work a day per horse, okay, with rest periods in between. There's a maximum number of four passengers can be permitted in a carriage at one time. The drivers again must be experienced in livestock handling and driving. There has to be portable drinking water available to the horses, and there has to be proper stables. The horses that are used can only be in good health and good body weight, and they must have properly fitted shoes for the streets of Pittsburgh.

Mr. Wagner:

Well, this is, just to sum up, this is one of the items that the Entertainment

Task Force discussed as being an excellent amenity to Pittsburgh. I'm personally pleased to see that it's come this far and look forward to seeing it implemented. You have my support on the vote.

(END OF REMARKS)

Michelle Madoff:

Is there going to be any provisal made for clean-up?

Mrs. Masloff:

They're going to wear diapers.

The Chair:

Yes, I understand that the horses will be wearing diapers.

Michelle Madoff:

Lots of luck.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of

Council being in the affirmative, the bill passed finally.

Mr. Pollock presented

Bill No. 1181

Report of the Committee on Planning, Housing and Development for July 16, 1986 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 776

An Ordinance, "Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 16, by changing: From "R4" Multiple-Family Residence District to "R2" Two-Family Residence District 79 properties with frontage along DENNISTON STREET; HOWE STREET; HAILMAN STREET; KENTUCKY AVENUE; WALNUT STREET and AURELIA STREET, 7th Ward." (AS AMENDED BY SUBSTITUTE)

Which was read.

Also,

Bill No. 1029

A Resolution entitled, "Resolution providing for the implementation of a Residential Sticker Parking Program in the Allegheny West community pursuant to Pittsburgh Code, Chapter 549." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1124

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(7) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authorization to occupy the first floor parking garage of the new Jewish Community Center, located at 5738 FORBES AVENUE, as a community (public) parking garage to be leased to the Public Parking Authority, 14th Ward."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 7 NOES none

(MR. POLLOCK ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1125

A Resolution entitled, "Resolution providing authorization to the Urban Redevelopment Authority of Pittsburgh to utilize \$400,000.00 of Giant Eagle Urban Development Action Grant Repayment Funds for the Community Development Investment Fund."

Which was read.

Also,

Bill No. 1126

A Resolution entitled, "Resolution approving an Agreement by and between the Urban Redevelopment Authority of Pittsburgh and Diversified Development, Incorporated and Hill Community Development Corporation in which Urban Redevelopment Authority of Pittsburgh will provide financial assistance to the purchasers of houses to be constructed in the 3rd & 5th Wards of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program."

Which was read.

Also,

Bill No. 1127

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Hill Community Development Corporation and Diversified Development, Inc., for the sale Parcels 70 and 124 in the 3rd Ward of the City of Pittsburgh in Redevelopment Area No. 31 (TOWNHOUSE CONSTRUCTION).

Which was read.

Also,

Bill No. 1128

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Hill Community Development Corporation and Diversified Development, Inc., for the sale Parcel 106 in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32 (TOWNHOUSE CONSTRUCTION).

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods

(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 1182

Report of the Committee on General Services for July 16, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1094

A Resolution entitled, "Resolution Repealing Resolution No. 129 of 1986, effective February 24, 1986, entitled: 'Providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing and delivery of various pool pumps and equipment for the Department of Parks and Recreation, payable from the 1986 Pool Pump and Equipment Program 4-10-03-1354-86, Index Code 320879, Department of Parks and Recreation, and for payment thereof,' is hereby repealed."

Which was read.

Mr. Grabowski:

Mr. President, I move to recommit Bill No. 1094.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mrs. Masloff presented

Bill No. 1183

Report of the Committee on Parks and Recreation for July 16, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1092

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Sharing and Caring Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986 and providing for the payment of the cost which is not to exceed \$5,000.00, and is chargeable to and payable from Code Account 1838 (183806), Miscellaneous Services, Recreational Activities, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1093

A Resolution entitled, "Resolution amending Resolution No. 325 of 1986, effective April 23, 1986 entitled: 'Providing for a Contract or Contracts or for the use of existing Contracts for the purchase of supplies and materials for major repairs in the Department of Parks and Recreation, and providing for the payment of the cost thereof,' by amending the title and by decreasing the total project allocation by \$8,847.66."

Which was read.

Also,

Bill No. 1115

A Resolution entitled, "Resolution amending Resolution No. 127, approved February 19, 1986, effective February 24, 1986, entitled, 'Providing for a Contract or Contracts for repairs and renovations to the Shark Tank at the Pittsburgh Zoo and providing for the payment of the cost thereof,' by increasing the amount and adding an additional funding source."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 1184

Report of the Committee on Public Safety for July 16, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1099

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase 215 Personal Distress Device to be used by the City of Pittsburgh Firefighters and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 1185

Report of the Committee on Engineering and Construction for July 16, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1087

A Resolution entitled, "Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Community Affairs, for a grant in connection with the Handicapped Nature Trail, providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Renovation, providing for required assurances; providing for the execution of payment vouchers on Letter of Credit; providing for the certification of authorized signatures; and for the deposit of funds into Unrestricted Cash."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff presents

No. 1186 WHEREAS, on official holidays garbage is not collected and sometimes stands for up to two weeks; and

WHEREAS, this time lapse allows for the garbage to be scattered about by dogs and raccoons resulting in foul smelling litter; and

WHEREAS, such accumulated garbage presents not only an eyesore, but a health hazard as well. As a result, we are discouraging potential real estate developers from the City, and certainly are not encouraging people to reside in the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby intend to appropriate additional funds for the Department of Environmental Services in the 1987 Budget for garbage pickup on official holidays.

Michelle Madoff moved to adopt the resolution.

Mr. Pollock seconded the motion.

Michelle Madoff:

Discussion. Mr. Chairman, if you will indulge me, I would like to circulate a letter and some photos that came from a developer not in the Downtown area but in the East End part of the City. He's very distressed; as a matter of fact, he called this morning and I have not had a chance to call him back. I'd also like to distribute down this way the photos of the Downtown area. We've received a list of the court cases because we met here in a very brief, ten minute post agenda meeting with Mr. Lurcott and

he's assigned someone to go in and cite the recidivist offenders. But in the list that we received, nobody pointed out that it's the same people over and over again. They say, "Oh, they were cited." Well, the Downtown people particularly are businesses and take the position that it's cheaper to pay the fine.

What is happening is, I just assumed that the Downtown area and the district areas, the Brookline, the Squirrel Hill areas, were really the villains. It has gone far beyond that and the photos that I'm sending around, nobody would like to live in their house next to places where you're seeing garbage in paper bags outside.

It is true that we have on the books now legislation which permits us to cite a violator for putting his garbage out not gift-wrapped. But, unfortunately, I believe there are three people giving citations. That's not even enough to cover Downtown and they don't work at night. They don't even work sporadically at night but I'm arranging for that and we did that with Mr. Imhoff. But everybody is covering for everybody. We don't know whether the people again are the same people except that we researched it and found out that it was the same people.

With the kind of taxes that we pay in the City and the four percent wage tax, I see no reason why this City and this Council cannot appropriate some dollars to pay, particularly in the kind of weather we've had, the 90 degrees, the humidity, when animals get into that garbage, we've got a health problem. It would appear to me that if somebody went to the Health Department they'd make us clean it up. We have a disease potential problem and I think we can't let it go.

In line with that, there was a City

overpay for trash pick-up, CMU study on garbage, and I believe there is a hearing coming up on that, is there not? Did you schedule it yet?

The Chair:

On what?

Michelle Madoff:

The hearing on the garbage pick-up, the study that CMU did.

Mr. Pollock:

No, you called for a post agenda on it.

The Chair:

No, there was no hearing, unless you want to make a motion.

Michelle Madoff:

No, there was a — I think you're right, Mark, I think there's a post agenda scheduled but I think it all ties together. We have a garbage problem. Basically, if people read the stories, we have curbside pick-up, routes are longer, trucks depreciate faster, break down sooner because the workers are overloading them, the residents put out heavy items such as kitchen sinks which break down the equipment. We've done away with the Pa Pitt which I think was a wonderful program. We have brakes and hydraulic systems, packers which cause engine breakdowns, and basically, we don't even know when the truck is full, it's overloaded, and we have problems. As you know, the people who do our garbage pick-up are upset about the numbers of people and they're being cut back in service.

I don't know how we're going to work out the cost effectiveness of our

system but I think that people are entitled to have their garbage picked up. And every time we don't pick up it isn't almost two weeks, it is two weeks. And I think fourteen days of rotting garbage sitting out on the street is unconscionable and we're not talking about a significant amount of dollars in hiring some private contractors when we're talking a \$280 million budget. The people are entitled to having their garbage picked up. We've gone to curbside from the back and I think it's something we must consider at budget time. And I don't want to be told we'll bring that up at budget time because every time I bring it up at budget time nothing happens. I think what we need to talk about, is there a sentiment among this Council to try to solve this problem and, if so, when we get to budget time then we would address it.

Mrs. Masloff:

I brought this up several years ago and I was told that the cost is prohibitive, that it's time and a half for these people to work on holidays and that if any person puts their trash out on a day that it's not supposed to be out they can be cited, just like any other business person. Business people are in a different position than the neighborhoods so that we can't have people working time and a half to pick up the rubbish in the neighborhoods because the cost is prohibitive. There's just no question about it. And in addition to that, the people know when holidays are coming and not to put their trash out on those days.

Mr. DePasquale:

To go on record to say we're in favor of more money for Environmental Services is one thing but to pass a resolution before the Mayor gives us his budget proposal is just, well, we can't do

it. We can't pass a resolution on something when we really don't know what's going to be in that budget in regards to Environmental Services funds and chances are the Mayor this time may want to fund it and obviously Council has the right to rearrange that budget and at that time if he doesn't then we can do it. But to pass a resolution on it now I think would be sort of moot. It would really have no bearing.

Michelle Madoff:

I'd like to respond to both my colleagues. Councilman DePasquale, what I want is an intent of this Council to look very seriously at that at budget time and that meaning to have alternative sources of picking up our garbage meaning private contractors —

Mr. DePasquale:

You just want to go on record as saying that we want —

Michelle Madoff:

Right. That we do want to solve the problem one way or another.

Now, I've outlined there's another way of solving it. Cite the violators. But you can't have three people going around the whole City. There's just not enough people to deal with the problem. We could solve the problem, Mr. DePasquale by hiring more inspectors, maybe some students part-time, who will go around and cite these people and bring them in for fines and the fines should be greater all the time. But if you can't do that then you've got to pick it up. One way or another we've got to get this problem off the streets.

Mr. O'Malley:

I think, Michelle, though the intent

is good, Norm Walker already gave this Council an estimate of what it would cost to have the garbage picked up on those holidays and I think it comes out to \$75,000 a day because the refuse workers would have to either be paid time and a half or double time.

I think this letter here is an indication that there's not enough trash receptacles. This doesn't indicate that there's a problem on holidays. I think Shadyside was one of two areas where the City of Pittsburgh went to receptacles, picked up, and were put in the alleys because the terrain was flat enough and the alleys were wide enough. I think what we have here is, we need additional receptacles in the Shadyside area because this letter indicates it has nothing to do with holidays whatsoever.

Michelle Madoff:

Excuse me, Mr. Chairman, the date was a holiday. If you look at the date it was a holiday. I've called back Mr. West but I have not spoken with him and I did speak with his secretary, was that just because of the holiday or was it an on-going problem, and she said it's an on-going problem in the area. Nobody is out citing them, nobody is looking through the area to say whether we need more containers, nobody is resolving the problem, and we've got a garbage and a health problem and it's all over the City. It's not just in Shadyside; it's Downtown and it's everywhere.

You know, when you see clean cities, do you know why those cities are clean? Because the Administration, and that means us in a sense, the will of the people who run the City want to keep the City clean. And if you don't have a penalty to those who violate, it's like saying to a criminal, let us know if you're going to commit a crime, or we don't put

anybody in jail, they're just going to do what they want to do.

Something has to happen. This has been an issue that I have raised since I've been on this Council and it isn't any better. Now that we're on curbside garbage it is worse. You drive down streets for two days and you see the garbage sitting out on the streets. The point I'm making is, sure, it gets picked up but it still sits there for X number of hours when you're driving by in the evening, especially on Grandview and if you go to stores Downtown when you're shopping in the Oxford. It doesn't do anything to enhance our business and it doesn't do anything to enhance developers coming into communities.

I'm not saying that the answer has to be necessarily more pick-ups. I'm saying it might be more inspectors. But I can't get anything. Somebody isn't listening. And I met with Mr. Imhoff and Mr. Imhoff who is the head of the inspections said, "I can't do anything; I don't have the money." I'm saying that we make a commitment during budget to solve the problem one way or the other, that we have somebody out there. We had the police go around to every facility and tell us where you had a machine the kids played on, Pac Man, why can't we have the police call in and tell us we've got garbage out on the street and cite that person? Just help us on an occasional basis so that we can do something to make this a clean city.

When you have garbage around, the City looks unkempt, and you really attract a criminal element. They all inter-relate, psychologically, whether you believe that or not. Studies have shown that repeatedly. If you have a dirty area you're going to attract the crime element. I know it sounds silly but it all ties together. If this Council wants to have a clean city then we have to do

something about it. We can't have Mr. Imhoff saying, "Well, I'm sorry, I don't have the money." Not in a budget of over \$280 million. We can afford to hire some inspectors, we can have people drive around and put out the containers, or provide whatever is needed. And Mr. Walker should be here at a post agenda that I believe is to be scheduled. I was out one Wednesday at a hearing, something I had to go to, and it will be rescheduled. But I think it should be the will of this Council to solve this problem.

Mr. Grabowski:

Mr. President, I think that what Michelle is trying to do I guess has some merit but at any rate, I don't think this is the way to go about it. If in fact Councilman O'Malley is accurate with his figure that it's roughly \$75,000 a day to have your Environmental Service people out there, we know there's 12 or 13 holidays, multiply that by the number and you add that figure to the Environmental budget at that time and that's how this Council addresses it. And at that time, anyone who wants to make provisions for pick-ups on holidays, you can do it then. In fact, I think if we did that, we'd probably have people complaining about the refuse people coming on Christmas and Thanksgiving and New Years and disrupting their holiday. So, no matter which way we go here, I think there's still going to be problems but I don't think this is the way to go about it right here.

The Chair:

If I can just add something, I'm pretty sure, in fact, I think Mrs. Masloff pushed for this really hard last year and we did pick up on a few holidays that are not Mondays in succession. Every Monday used to fall on a Monday but they quit that if you recall.

Pittsburgh.

There are going to be between 40 and 45 more shipments of this nuclear material through the heart of Downtown Pittsburgh and the residential areas and I, for one, am going to pursue this further to see if an alternative route can be identified and utilized. I don't have to remind you what could happen right in the City of Pittsburgh.

So, I just wanted to give you guys an update on that and let you know that the first shipment did go through the City of Pittsburgh and that I am going to be following up on this.

The Chair:

Thank you, Mr. Pollock.

Michelle Madoff:

Mr. Chairman, this item is on the letter you sent out about post agendas. I think you might want to clarify that for Councilmembers because I have some concerns about it.

Are you making an arbitrary decision that there will be no minutes kept of interaction between the person holding the hearing and whomever they're interacting with? For example, I would like to have had a record, and I think there is one, of my conversations with Mr. Imhoff when he said, "What do you want from me? I only have three people; I can't get anybody out to pick up the garbage." I think there needs to be a record when Mr. McDermott says, "What do you want from me? I can't fix the sidewalks on Grandview because we didn't have the money allocated over seven years and I can't just put out a contract for sidewalks because I need to have a consultant." Meanwhile, we've always had a design for sidewalks and the design for curbs has been in place since

1978 and all you have to do is measure the number of feet and say, "Who wants to bid on this?" We need records of these kinds of interactions that take place at post agendas. There were just I think three people, I don't even know if there was somebody else with me the day that I had my post agenda with Mr. McDermott and with Mr. Lurcott. And if you're going to make a ruling that just because there's a post agenda that's turning into a hearing we're not going to have support staff, we're not going to have records of what is happening.

The Chair:

I think the original intent of a post agenda, in fact, I know the original intent of a post agenda was just for that information between a Councilmember or Council and the Directors. I think over the last few months its gotten out of hand and they became hearings with the public invited. The last few, not just the last one, but the last few months, and I think a number of us have abused it.

It has to be done as a post agenda. We can't leave the idea that a post agenda is a public hearing. I turned on the TV yesterday and heard about a hearing we had this week in Council on a particular subject when there was no such hearing. It's got to be brought back down to its proper form, a post agenda. The tape recordings will still go on. I think we all agreed here a few months ago that no more transcripts will be taken of the post agenda. It wouldn't be transcribed. So, you'll still have your taperecordings and you'll have your tapes. But they have to be just what they are supposed to be, post agendas. They are not hearings, they are not meeting hearings, and any member here who wants to have a public hearing can do so just by making a motion and with five votes you have a public hearing.

Michelle Madoff:

I think it would be not very practical, logical, and I think it would be illegal not to keep transcript notes of the brief post agendas as they were designed. I know of an occasion where tapes were missing from our stenotypists' room; also transcripts were stolen, their recordings. Why, I don't know, but that has happened here.

I think we have to have important, fact-finding post agendas where there is absolute documentation so that if the tape fails the transcript is available to document what somebody is saying. If I sat here now and said that Mr. Imhoff said or Mr. McDermott said, and I don't have back-up on that, I'm in big trouble. And if the tape fails or is stolen, it's only one source.

What you're really saying, I think, Mr. Woods, and I think we're prancing around the subject and let's talk about what the issue was, and I think Mr. Wagner can speak for himself. Mr. Wagner, I believe, called a post agenda hearing because of the time frame. The police were going to be re-assigned and he felt there should be a hearing before the re-assigned time. Indeed, it was a hearing and I think there was not enough time to abide by the legal ramifications of public notification. So, by having his post agenda turned into a hearing, at least people had a chance to have whatever input took place and frankly, for the first time, there was interaction. The director had a chance to respond and people for a large part took it very favorably. They said let's give it a chance or I'm unhappy; there was a dichotomy. It wasn't eight hours of listening to one side and by that time nobody cared and nobody stayed long enough, Councilmembers didn't stay to hear what was going to happen. You get worn out in eight hours.

I think the procedure that I introduced in the first few years of being on Council of allowing at a hearing the Mayor's people, whoever they may be on a given subject, to respond to public questioning. Somebody gets up and testifies and turns to the appropriate person and says, "When will this be corrected, when can I get an answer, and why are you doing that?" and it was productive. We didn't stay for eight hours and not accomplish anything. But for some obscure reason during the tenure of Mr. Stone towards the end of his reign, we somehow got it back to where it used to be where the public can ventilate and if we were lucky we were allowed one question and by the time we got to the end of the day there was nothing accomplished.

I think though you may have a valid argument, Mr. Woods, by saying a post agenda did turn into a hearing, I don't think that's routine, I don't think that's the usual case, and I think to punish all members of Council by not keeping records that we can use as hard concrete in dealing with department heads who want to abuse the taxpayers' dollars, when you have \$5000 for electrical study that can be done in-house and a study to see about sidewalks when people pour their own, and you don't keep documentation, I think you're doing a great disservice to the public because you don't want to have one post agenda that turned into a hearing.

I think two things need to be considered; our formula for conducting hearings and putting this particular incident into proper perspective and not changing the system.

The Chair:

Please do not try to find my intent; I gave you my intent when I wrote the memo. It was not because of the

particular post agenda that just happened, it's because a number of them have happened. I don't want to bring up names but it's been going on for the last couple of months and that's why I sent that memo out. That's the reason, not the one that just happened on Wednesday; I don't want anyone to think that. If you can recall, you had one similar, Mr. Givens had a couple similar to that, where they turned into mini hearings and now was the time to bring a post agenda and it has to be just that, a post agenda.

Mr. Pollock:

Ben, I think the larger issue raised by your memo is exactly who the Council staff works for. It's my understanding, Mike Perry told me when I first got here, that the Council staff works for all nine of us and that if we want to have a court stenographer take minutes at anything that all we had to do was request that. I've had meetings in here where I've had the stenographer work. And for you to say that we can't have a stenographer present at anything we want sounds like you direct where the stenographers work and where they can't. It's my understanding that they don't work for you, they work for all nine of us.

The Chair:

Mr. Pollock, you're absolutely right. They do work for all nine of us and anytime one of us wants any of the help that belong to Mike Perry the City Clerk or the Assistant Clerk, we must go to that individual. But, the City Clerk and Assistant City Clerk come to me for whatever they want and I direct them. There has to be one person in charge here and you, the nine members of this Council, elected me as the President of Council and the President of Council controls this whole staff and these people run their staff.

Mr. Pollock:

I don't know if you're responding to the point I raised.

The Chair:

I think I am. You asked who was in charge of City Council. The President of Council is in charge of City Council and that's all the employees. All the employees work for the City Clerk, and I direct the City Clerk or the Assistant City Clerk. I think that answers your question; it's the best I can answer it.

Mr. Pollock:

So then, are you saying then that we don't have access to the Council staff?

The Chair:

I am not saying that. I said that if you want access to the Council staff you must go to the City Clerk or the Assistant City Clerk. That's exactly what I said. But you, yourself, or even myself, I would not go to any of these people and ask them to do anything for me or request anything of them. I have to go to the City Clerk or the Assistant City Clerk.

Mr. Pollock:

What you're saying then seems to contradict your memo. If I want a stenographer present in my office for a meeting and I ask Mike if a stenographer is free and he says yes, then that stenographer comes into my office and takes the minutes of whatever —

The Chair:

Unless I set policy where I say no, you can't do that.

Mr. Pollock:

And what authority do you have to do that?

The Chair:

Because you gave it to me when you voted me President.

Mr. Pollock:

I don't think the rules of the Presidency can determine where the Council staff goes.

The Chair:

I can tell the City Clerk what to do.

Mr. Pollock:

I think, Ben, what you're doing is putting the City Council staff in an awkward position because, unless I'm mistaken, their salaries and their positions and vacancies are voted on by all nine. So, if they want to take their orders from you, when it comes time to fill vacancies and promotions and salaries, then they can go to you for all nine votes then.

The Chair:

No, they have to go to you, Mr. Pollock, for one vote.

Mr. Pollock:

Okay.

Mr. Wagner:

Mr. President, in regard to the post agendas, first of all, I feel that the reason for the post agendas is that the department directors have not provided us with sufficient information on

whatever the pertinent issue may be of the day. When they don't provide us with sufficient information, that, in essence, is saying that they're not providing the public with sufficient information as it relates to an issue. Repeatedly that has occurred recently and in particular as it relates to Public Safety. That was the reason for me calling that post agenda last week which really almost did turn into a hearing but the public was very pleased to have the opportunity for the first time to have dialogue with the Administration in some way prior to the beginning of the implementation of the program which is today.

In regard, though, to post agendas, we've always had a problem with post agendas because we really don't have an agenda for post agendas. I think what needs to be worked out is that this Council as a whole has to vote on a rule of Council as to what is or is not part of a post agenda. What that is, I guess all of us could have our input to determine that and then officially it would come to a vote here publicly as to a rule change on Council. But I think it's important that we somehow tie that in with what the Charter wants us to do which is to obtain and investigate and get as much information as we can from the Administration on all issues. And I am irritated that we cannot obtain information on issues. I am very irritated that when we request members of the Administration to attend our meetings, whether they be the public hearings or post agendas, they absolutely refuse with no answer given, simply that they are busy, they are occupied, and I'm beginning with the Mayor on down. The Mayor only comes in front of this Council once a year at budget time and I believe the time has come with pertinent issues that the Mayor should come in front of Council more often. That not only includes the Mayor but we've had department directors come in front of

this Council and say they will be the only people to come in front of Council when in fact the Charter clearly gives us the power to call anyone in front of us.

I would hate to see the stenographers eliminated from post agendas for that reason, because I believe that where the Administration is not providing us with information, at least at a post agenda we can ask questions that we don't normally have the opportunity to ask because we never have that opportunity. We don't here at the legislative meeting because when it comes to free and open dialogue we don't have members of the Administration here. When its at the Committee Meeting on Wednesdays, it has to relate to the bill or piece of legislation in front of us. So, the only time we really have the opportunity to dig into something as major as going from nine precincts to five with the Administration and get some dialogue back and have our stenographers record it, which is very important, I think, for public information, is at a post agenda. So, I would request that we do not remove stenographers from post agendas.

The Chair:

Jack, I know you and I discussed it before last week's post agenda and I knew what you were going to do and I let it go, as you well know because we couldn't schedule the hearing. But, we have to bring it back down now and have post agendas as what they are, post agendas. I'm willing to discuss it; I have an open mind. I'm glad that the memo got everybody's attention. I see that you do read your mail and the next meeting that we have I am more than willing to discuss it in depth.

Michelle Madoff:

I would like to continue if I may. I

don't think that the public and this Council should end this meeting today not knowing where we stand. My understanding from the dialogue that is taking place now, and correct me if I misunderstand, that if I want to have someone cover my post agenda with a director, that I have to go to Mike Perry or Linda Johnson, Assistant City Clerk, and ask for a stenographer. And then they check with you to see whether you will permit it. Is that correct?

The Chair:

No, it's not correct.

Michelle Madoff:

They will just give me a stenographer?

The Chair:

No, at this time they wouldn't give you one.

Michelle Madoff:

Well I challenge the validity of your authority, whether it's Ben Woods or whether it was Mr. Stone or whoever it was that would disenfranchise the public, would not allow us to have pertinent background information. If you recall, many of us on this Council have felt, some are no longer here, that all hearings of Council, whether they're public hearings, whether they're post agendas, should be televised. Many people can't come down here.

The meat of the meetings, what really goes on, goes on at the post agendas and at the hearings. This gets pretty darn boring when all you do is read out Bill No. so and so, anybody opposed, all in favor aye. The gut of what happens and how we serve our constituents is in the post agendas, and

it's been pointed out that we don't get information and that's our way of getting information. And I think there needs to be records kept of that. That's why it should be televised, it should be transcribed by a stenotypist and it should be on tape. The tape was my original idea, you were not here, Mr. Woods, as a back-up because the environmental movement did that and we found that transcriptions were not sometimes accurate because people got to talking and you couldn't hear what was said and sometimes what came out was the exact opposite by leaving a word out. So we also had the tapes.

It would offend me, and I don't know what the legal ramifications are, but I don't think you are empowered with that kind of power to be able to say that you are the President and therefore you're going to decide what we elected officials serving our constituencies are going to have provided in the way of services to protect them by gathering information. And I think that needs to be addressed right here and now, not at a private meeting, and if there's going to be a meeting, I would like the media to be there.

The Chair:

You lost me, Michelle; you went eight different ways. I think I'm within my power and if you care to check with the Solicitor, all of you, please do that.

Michelle Madoff:

I would like to check with a private solicitor that we would pay for to check whether you have those powers.

I make a motion to hire one of our consultant solicitors to see whether indeed you have the power to keep us from having that ability.

The Chair:

Why don't you just go to our City Solicitor and if you don't agree with what his findings are —

Michelle Madoff:

For the same reason, Mr. Woods, that we cannot do anything in this Council. We don't have six votes to override the Mayor's veto, ever. The Mayor can get six votes for anything on this Council. Sometimes even mine.

The point I'm making is that we need an independent legal opinion whether you have that power under the Home Rule Charter or under the Rules of Council. I don't think you have it.

The Chair:

I do and I'm exercising it at this moment. Like I said, you can check with the City Solicitor —

Michelle Madoff:

I'd like to know the rules for challenging — I just made a motion that I would like to hire an attorney to check that. We have funds available to see and if you do then I will back off.

The Chair:

Is there a second?

Mr. Pollock:

Second.

Mrs. Masloff:

I think we ought to go to our City Solicitor first.

The Chair:

That's what I just got finished saying.

Michelle Madoff:

We have six votes that the City Solicitor is involved with.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff Mr. Pollock

AYES 2 NOES 4

VOTING NO:

Mr. Grabowski Mr. O'Malley
Mrs. Masloff Mr. Woods
(Pres't)

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Mr. Wagner:

Mr. President, I think it clearly indicates in the Charter what your powers are. I don't think we need to go to our Solicitor or an outside solicitor. The way I interpret it, you do not have the power to set policy. You have the power to enforce policy set by the majority of Council.

The Chair:

And that's what I'm doing. And the policy is the Council Rules and I'm enforcing Council Rules. The post agendas are not official meetings of Council as we discussed here many, many times; if any Councilmember calls that meeting, no one has to attend, there's no roll call and there's no order of business. So, it's not an official meeting of Council and any time you can use Council's staff is on official business. I am ruling that way but I said that I am willing to sit down and talk to Council as long as we keep post agendas in the proper perspective from this point on. That's my ruling.

Mr. Grabowski:

Mr. President, I never gave it much thought until this discussion took place, but I do think the role of the stenographers is for the official record, for the official meetings that Council has, the Legislative Meetings on Mondays, the Standing Committee Meeting on Wednesday and, of course, the public hearings. I didn't realize that from time to time you would assign a stenographer to a Councilmember should they have a private meeting in their office and I never gave much thought to their involvement at the post agendas, but it takes up an awful lot of their time. I think that if you'll check with the City Clerk you'll find that the stenographers are backed up on their work, especially on the Committee Meetings and the hearings. They're not transcribed. And I would suggest that until those Minutes are in print and they are caught up that this private assignment that I wasn't aware took place in the first place cease altogether and I think you're in your authority to do that.

The Chair:

Thank you, Mr. Grabowski.

Michelle Madoff:

Mr. President, to serve our constituencies, when we gather information that is not brought to light until a director comes here and says, "I can't do my job because I don't have the staff to do it." It's the public's right to know and we're not going to have that public right to know unless it is transcribed because colleagues don't even attend the post agenda meetings because they think it's just one person trying to get some information. It was pointed out by other colleagues that the reason we do that is because we can't get information frequently in any other way.

I think you're violating your powers. I don't know how we're going to deal with it; I just said we may discuss it first and perhaps resolve the problem. I'd like to do it amicably but if it can't be done amicably I'm going to look into what can be done in other ways.

I have another item, another subject. We decided on this Council, and I agreed with you, that the set aside a program that would go to referendum would be defeated because it would become a racial issue. We have two set aside bills that I've introduced that need some tightening up because there's a discrepancy as to what is a set aside program between the Mayor's Commission on Women as it is interpreted by various department heads.

But I spoke with you and you gave me permission to hire a counsel to see how we can deal with that problem. I talked to one woman but she was going away for the summer. I spoke to Mike Boyle today who is now head of the Bar Association and has worked for

government, worked for McGrady, and he is willing to do it. He's sending a letter to us as to what his fee would be and I don't know how many hours are involved in that but, as you said, we don't have a real pressing deadline on that but I want to get started so that we can resolve that problem. But I needed permission to proceed.

The Chair:

Get a letter so we can —

Michelle Madoff:

I told him to send a letter to us. Would you deal with him and set —

The Chair:

I am meeting with the Mayor and with Danny Pellegrini and I will try to get you there to see about what they can do with this legislation.

Michelle Madoff:

I agree that we should get some legal opinion as to what restrictions we have under the Home Rule Charter and I wanted someone familiar with government law, who dealt with it before, and it was hard finding somebody but he has volunteered for pay, but he'll probably give us a break.

Mrs. Masloff:

I have another matter to bring up that distressed me very, very much. On every corner in the City of Pittsburgh from Liberty Avenue there are young men standing on the streets handing out these cards which are for adults only and which give a telephone number. \$2.50 is the cost of the call and the card says, "not for individuals under 18 years of age". However, they are handed out to every single person —

Michelle Madoff:

What is it?

Mrs. Masloff:

It's a pornographic call. You call this number and you get a pornographic call. I think our police should stop it; I think they should take these kids off the corners. It's important; I don't think that kids should be handed these cards on corners and I think our police should be aware of it.

The Chair:

I think you're right.

Mrs. Masloff moved to excuse Mr. Givens for absence from the meeting.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mrs. Masloff moved to approve the Minutes of Monday, June 30, 1986 and Monday, July 7, 1986.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mrs. Masloff:

I move to recess this meeting until Wednesday, July 23, 1986 immediately following the Standing Committee Meeting.

Mr. O'Malley seconded the motion.

Mr. Grabowski:

Opposed.

And on the motion of **Mrs. Masloff**

Council recessed.

Pittsburgh, PA

Wednesday, July 23, 1986

And the hour of recess having expired, Council reconvened and there were present:

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

ABSENT:

Mr. Givens

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Can I have a motion to adjourn this meeting?

Mr. DePasquale:

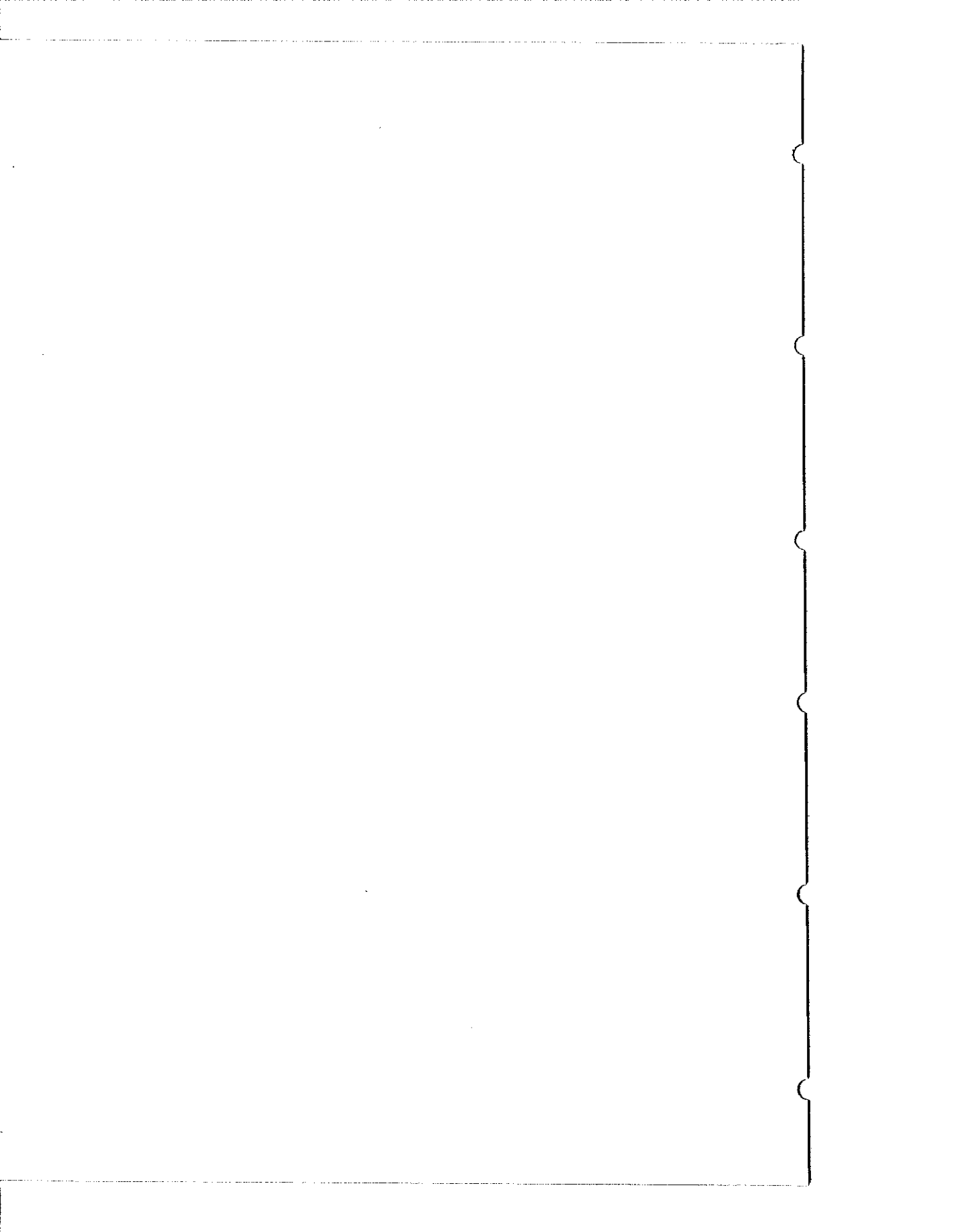
So moved.

Mrs. Masloff:

Second.

And on the motion of **Mr. DePasquale**

Council adjourned.



Municipal Record

Proceedings of the Council of the City of Pittsburgh

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Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, July 28, 1986

PRESENT:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Woods
Michelle Madoff	(Pres't)

ABSENT:

Mr. O'Malley
Mr. Wagner

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Michelle Madoff:

May I call on Verna McGinley, the President of the Aviary Volunteer Association; Donna Williams, Vice President; Rose Weber, Secretary; Rosemarie Hass, Continuing Education Coordinator; Judy Martier, Past President; Judith Aaronson, volunteer; Jim Novelli; Mrs. Faith Dolagowski and her daughter Ms. Faith Dolagowski; and Chuck Tague, Aviary Volunteer Coordinator. Come right up here; no chickening out.

Michelle Madoff presents

No. 1245 WHEREAS, the Pittsburgh Aviary has in its collection over 850 individual birds, representing 274 different species and over 5,000 tropical plants; and

WHEREAS, the VOLUNTEER INTERPRETIVE PROGRAM was established in the Spring of 1983, to enhance the education services of the Aviary and provide the opportunity for interested volunteers to participate in the Docent, Bird Care and Plant Care Programs; and

WHEREAS, the VOLUNTEER INTERPRETIVE PROGRAM manages the "Adopt-a Bird" Program which allows organizations and individuals to donate funds to be used for the nutritional needs of a chosen bird; and

WHEREAS, in 1985 the VOLUNTEER INTERPRETIVE PROGRAM conducted 249 tours serving

8,239 people, participated in 22 community festivals, 27 summer recreation programs, 23 in-school programs, 10 speakers bureaus, and 4 senior citizen workshops, for a total of 5,267 hours of volunteer service; and

WHEREAS, since January 1986 the volunteers at the Pittsburgh Aviary have already donated a total of 3,248 hours of service and promoted the Aviary as a City facility which has resulted in a 17% increase in attendance;

NOW THEREFORE, BE IT RESOLVED that the Mayor and the Council of the City of Pittsburgh join in thanking the dedicated members of the Pittsburgh Aviary's VOLUNTEER INTERPRETIVE PROGRAM for providing assistance in the daily operation of the Aviary without compensation. Through their dedication these volunteers heighten community awareness of the facility, educate the public to the importance of wildlife and conservation and aid in the protection of the collection.

Michelle Madoff moved to adopt the resolution.

Mr. Pollock seconded the motion.

Which motion prevailed.

Michelle Madoff:

I have had the privilege of having a private tour with some friends by Donna Williams who has been mistaken as my sister, that's better than as my daughter; and that's happened once or twice. I want you to know that I won a button; I got lucky, I got hit twice on the hand and on the arm.

I was going to do another Whereas; Whereas, Tom Flaherty wanted to audit the wishing well which had \$7.00

in it and he was welcome to do it if he'd go in with his trousers on and wade through the wading pool.

The Aviary does a phenomenal job. If you haven't seen it, you really ought to go out there and take the tour. It really is spectacular.

I think some of the people that are here are going to speak and ask all members to adopt a bird, and we don't mean a Councilmember.

I wonder if Louise Brown would like to come up and say something.

Director Brown:

I would just like to add my thanks also to Michelle and members of City Council for this wonderful, dedicated, talented, knowledgeable group of volunteers who have done so much at the Aviary.

I don't know whether you mentioned, Michelle, but not only have we now a significant education program at the Aviary but through their efforts we've also greatly increased admissions and attendance at the Aviary.

So, I want to give a special thanks to all of them and hope that we can serve you any way that we can by hoping to fix the roof in the next year —

Michelle Madoff:

And some extra money.

Director Brown:

Well, we'll see what we can do about the money.

Again, on behalf of the Parks Department, thank you all very much.

Michelle Madoff:

Councilwoman Masloff, would you care to add anything?

Mrs. Masloff:

Everything has been said and I agree.

Michelle Madoff:

That's saying a lot.

Mr. Tague:

My name is Chuck Tague and I'm the Coordinator for the education and volunteer programs at the Pittsburgh Aviary. On behalf of Dr. Lindsay Clack, the Director, Paula Strausser, our Assistant Director, and all the other members of the staff, I'd like to thank these people and the other 15 or 20 who could be represented today for the wonderful job and for donating their time and considerable talents.

I think we set the beginning of what will be very shortly the finest zoological education program in the country.

Ms. McGinley:

I'm Verna McGinley and I'm the President of the Volunteer Interpreters Program at the Aviary and I would just like to say that we thank you for this recognition and we are proud to serve the City in this educational and entertainment capacity.

Ms. Williams:

I'm Donna Williams and I'm the Vice President. First of all, I wanted to thank Michelle for joining us for a private tour of the Aviary and secondly I wanted to award her a certificate of

adoption. An admirer of hers has adopted a bird in her name and, along with the certificate, is some information about your bird, a picture of the bird which was adopted in your name —

Michelle Madoff:

Is it the loudest one in the Aviary?

Ms. Williams:

It is the loudest bird at the Aviary, and a plaque has been mounted in your name and the donations of the money goes to the nutritional needs of the bird.

Michelle Madoff:

We have to get everybody on Council to adopt a bird.

Mr. Pollock:

I want to adopt a fried chicken.

The Chair:

Thank you all very much.

Mr. DePasquale presented

No. 1188 Resolution providing for the issuance of a warrant in favor of Trumbull Corporation (Perry J. Dick, President) in the amount of \$913.79 in payment of Extra Work, being in addition to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street, Phase I, payable from the Grant Street Trust Fund. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 1189 Resolution providing for an Agreement or Agreements with the South Side Community Council, for professional services relative to the South Side Merchants Baseball Team at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account No. 1838, Miscellaneous Services, Department of Parks and Recreation; and transferring the sum of \$1,500.00 from Code Account 10, Accounts Payable Prior Years to Code Account No. 1838, Miscellaneous Services, Department of Parks and Recreation.
—(SPONSORED BY MR. DEPASQUALE)

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 1190 Resolution providing for an Agreement or Agreements with Gannett Fleming Transportation Engineers for Engineering Services in connection with the In-Depth Inspection of the Schenley Park Bridge over Boundary Street at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account EC 86-10.

Also,

No. 1191 Resolution providing for an Agreement or Agreements with Gannett Fleming Transportation Engineers for Engineering Services in connection with the In-Depth Inspection of the Schenley Park Bridge over Panther Hollow at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account EC 86-10.

Also,

No. 1192 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for

Engineering Services in connection with the In-Depth Inspection of the Ohio River Boulevard Bridges No. 1 and No. 2 at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account EC 86-10.

Also,

No. 1193 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the In-Depth Inspection of the Columbus Avenue and Allegheny Avenue Bridges at a cost not to exceed \$35,000.00, chargeable to and payable from Code Account EC 86-10.

Also,

No. 1194 Resolution amending Resolution No. 199, effective March 19, 1986, entitled: "Providing for a Contract or Contracts, or use of existing Contracts, for the Renovation of Turfed Areas and Ballfields, including, but not limited to Arlington and Whitman; and providing for the payment of the cost thereof," by increasing the total project allocation from \$50,000.00 to \$91,000.00.

Also,

No. 1195 Resolution amending Resolution No. 96, effective March 2, 1984, entitled: "Providing for a Contract or Contracts or the use of existing Contracts for the rehabilitation of Armstrong Playground; and providing for the payment of the cost thereof," by decreasing the total project allocation from \$50,000.00 to \$49,223.17, chargeable to and payable from Code Account CDPR 83-12.

Also,

No. 1196 Resolution further amending Resolution No. 618, effective

July 13, 1981, as amended by Resolution No. 622, effective August 1, 1983, as amended by Resolution No. 212, effective March 21, 1985, entitled, "Providing for a Contract or Contracts for the Construction of Sidewalk Ramps for the Handicapped at various locations in the City of Pittsburgh; and providing for the payment of the cost thereof," by increasing the total project allocation from \$274,763.56 to \$474,763.56.

Also,

No. 1197 Resolution further amending Resolution No. 750, effective September 6, 1983, as amended, entitled: "Providing for a Contract or Contracts for the Construction of Walls at Various Locations, including but not limited to the following: Wick Street, Holt Street, Monroe Street, St. Martin Street, Goettman Street and Blessing Street, providing for an Agreement or Agreements with Pittsburgh International Engineering, Inc. for Engineering Services in connection with the Design of the Reconstruction of the Blessing Street Wall; and providing for the payment of the costs thereof," by increasing the total amount from \$1,529,500.00 to \$1,689,500.00.

Also,

No. 1198 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Fall 1986-87 Street Tree Planting Program in Various Community Neighborhoods and Business Districts at a cost not to exceed \$150,000.00.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 1199 Resolution amending

Resolution No. 94, effective February 17, 1986, entitled: "Resolution providing for a Contract or Contracts, or the use of existing Contracts, authorizing the resurfacing of various City Streets and Park Roads with bituminous materials, including asphalt milling, planing, regrading, recurbing, and other work incidental thereto, and providing for the payment of the costs thereof," by increasing the total project allocation from \$900,000.00 to \$1,300,000.00, chargeable to and payable from Code Account PW 86-01, City Wide Resurfacing Program.

Also,

No. 1200 Resolution amending the 1986 Capital Budget to increase authorization for Signals at Various Intersections.

Also,

No. 1201 Communication from Lou Gaetano, Director, Department of Public Works, requesting permission for Brother Richard Emenecker to attend the annual conference of the National Association of Telecommunications Officers and Advisors-National League of Cities in Philadelphia, PA from September 21-24, 1986, at a cost not to exceed \$920.00, payable from the Community Communications Trust Fund.

Which were severally read and referred to the Committee on Public Works.

Mrs. Masloff presented

No. 1202 Resolution providing for a Lease or Leases and/or License or Licenses with Union Real Estate Company of Pittsburgh in conjunction with operation of Carrick Farmer's Market, further providing for paving of site by Department of Public Works in return for its ongoing use by the

Department of Parks and Recreation, for multiple years, renewable by mutual consent.

Which was read and referred to the Committee on Finance.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

No. 1203 Resolution authorizing the issuance of a warrant in favor of Authorized Factory Service Inc. in the amount of \$604.00 in payment for repairs to Hobart food chopping machine, furnished for the benefit of the City, chargeable to and payable from Code Account ATF (Aviary Trust Fund), Administration, Department of Parks and Recreation.

Also,

No. 1204 Resolution transferring \$20,000.00 from Code Account 1850, Salaries to Code Account 1851-1, Premium Pay all within the Pittsburgh Zoo. This transfer is necessary to meet anticipated holiday and overtime costs for the remainder of the year.

Also,

No. 1205 Resolution authorizing the transfer of funds from Code Account 1857, Animal Provisions, the amount of \$12,000.00 to Code Account 1852, Miscellaneous Services in the Department of Parks and Recreation. This request is due to unanticipated

expenses incurred in connection with renovations needed in connection with facility preparations for the AAZPA accreditation.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1206 Resolution providing for an Agreement or Agreements with the Ernest T. Williams Center for professional services in connection with the East End Raiders Football Team at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account No. 1838, Miscellaneous Services, Department of Parks and Recreation; and transferring the sum of \$2,000.00 from Code Account 10, Accounts Payable Prior Years to Code Account No. 1838, Miscellaneous Services, Department of Parks and Recreation.
—(SPONSORED BY MRS. MASLOFF)

Also,

No. 1207 Resolution providing for authorization to enter into an Agreement or Agreements with various contractors for professional services in conjunction with the Department of Parks and Recreation, Special Events and Cultural Affairs 1986 Great Race/Finish Line Services at a cost not to exceed \$19,605.00, chargeable to and payable from the Special Parks Program Trust Fund, Department of Parks and Recreation.

Also,

No. 1208 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Joseph N. Cogley to attend the Parks and Recreation's Safety Management Conference in Lanham, Maryland from September 10-12, 1986,

at a cost not to exceed \$450.00, payable from Code Account 1801.

Also,

No. 1209 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Carl A. Mancuso to attend the National Recreation and Park Association's 1986 Congress for Parks and Recreation in Anaheim, California from October 16-21, 1986, at a cost not to exceed \$1,450.00, payable from Code Account 1838.

Also,

No. 1210 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Louise Brown and Joseph N. Cogley to attend the National Recreation and Park Association's 1986 Congress for Parks and Recreation in Anaheim, California from October 16-21, 1986, at a cost not to exceed \$2,900.00, payable from Code Account 1801.

Also,

No. 1211 Communication from Louise Brown, Director, Department of Parks and Recreation, permission for Lindsay Clack to attend the American Federation of Aviculture Convention in New Orleans, Louisiana from August 6-10, 1986, at a cost not to exceed \$500.00, payable from the Aviary Trust Fund.

Also,

No. 1212 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Frank Pizzi to attend the 6th Annual Association of Zoo Horticulture in Seattle, Washington from September 6-11, 1986, at a cost not to

exceed \$440.00, payable from the Aviary Trust Fund.

Also,

No. 1213 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for Lindsay Clack to attend the 1986 American Association of Zoological Parks and Aquariums National Convention in Minneapolis, Minnesota from September 14-19, 1986, at a cost not to exceed \$1,360.00, payable from the Aviary Trust Fund.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Givens for Mr. O'Malley presented

No. 1214 Resolution increasing the bonded indebtedness of the City of Pittsburgh in the aggregate amount not to exceed \$200 million of refunding bonds for 1986.

Also,

No. 1215 Resolution providing for payment to the Public Auditorium Authority of Pittsburgh and Allegheny County of amounts with respect to the operation and maintenance of the Civic Arena by entering a Supporting Agreement with respect to operating expenses with Public Auditorium Authority of Pittsburgh and Allegheny County and the City of Pittsburgh and County of Allegheny; authorizing and directing the proper officers of the City to execute the First Amendment to Supporting Agreement between Public Auditorium Authority of Pittsburgh and Allegheny County and City of Pittsburgh and County of Allegheny relating to operating expenses of the Civic Arena dated December 1, 1985; providing for the proper officers of the City of

Pittsburgh to take all other required, necessary and desirable action in connection with said Supporting Agreement; providing for the effectiveness of this resolution; providing for the severability of provisions of this resolution, and providing for repeal of all inconsistent resolutions or parts of resolutions.

Which were read and referred to the Committee on Finance.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 1216 Resolution providing for the issuance of a warrant to John R. Belashek and Debra Belashek, his wife, in the amount of \$1,735.00 in full settlement of claim for personal injury, arising from a motor vehicle accident on Commonwealth Boulevard in the City of Pittsburgh, payable from Code Account No. 46, Judgments.

Also,

No. 1217 Resolution providing for an Agreement with a Professional Realtor for negotiations of a Lease Agreement in connection with The Island Restaurant at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account No. 1060, Miscellaneous Services.

Also,

No. 1218 Resolution providing for

a Contract or Contracts or the use of existing Contracts for the furnishing, delivery and installation of a filing system in the Department of Law at a cost not to exceed \$16,100.00, chargeable to and payable from Code Account No. 1079, Equipment, Department of Law.

Also,

No. 1219 Resolution amending Resolution No. 1230, Item H, approved December 27, 1985, which authorized the sale of property in the 18th Ward, being vacant land, located at 205 Saw Mill Run Boulevard, designated as Block 34-C, Lot 71, to McGann & Chester Towing & Repair for the sum of \$10,000.00. The reason for the above amendment is to correct the description of the property.

Also,

No. 1220 Resolution amending Resolution No. 36, Items B, K and M, approved February 4, 1986.

Also,

No. 1221 Resolution providing for the filing of a petition or petitions for the sale of property or properties acquired at tax sales in accordance with Act No. 171 of 1984, effective December 11, 1984.

Also,

No. 1222 Communication from Mayor Caliguiri, requesting permission for George R. Whitmer to attend the Pennsylvania League of Cities Conference in Harrisburg, PA on July 23, 1986, at a cost not to exceed \$300.00, payable from Code Account No. 1017. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 1223 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 7 by changing: From "C3" Commercial District to "R4" Multiple-Family Residence District certain property located at the northeast corner of WYLIE AVENUE and ROBERTS STREET, 3rd Ward.

Also,

No. 1224 Resolution approving the Convention Center Proposal, dated July, 1986, including Modification No. 1 to the Redevelopment Area Plan, for Redevelopment Activities in Redevelopment Area No. 46, in the 2nd Ward of the City of Pittsburgh.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 1225 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Sandra aL. Carroll and designated as Block and Lot 23D-106 (1701 Warren Street) in the Deed Registry Office of Allegheny County, for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified by the

Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The property, a vacant lot, is being acquired for resale to the adjacent property owners for use as a sideyard.

Also,

No. 1126 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 16th Ward of the City of Pittsburgh owned by Emma R. Wagner and designated as Block and Lot 32B-314 (803 Ormsby Street) in the Deed Registry Office of Allegheny County, for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The property, a vacant lot, is being acquired for resale to the adjacent property owners for use as a sideyard.

Also,

No. 1227 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 9th Ward of the City of Pittsburgh owned by Ellis Eschman & Mary Eschman and designated as Block and Lot 49G-319 (334 45th Street) in the Deed Registry Office of Allegheny County, for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The property, a vacant lot, is being acquired for resale to the adjacent property owners for use as a sideyard.

Also,

No. 1228 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 6th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot Nos: 48S-258, 49N-114, 49N-117, 49N-128 (3435 Butler Street, 3447 Penn Avenue, 3409 Penn Avenue, & 3450 Penn Avenue) under the Residential Land Reserve Fund, for the sum of \$1.00 plus all necessary and incidental expenses. These properties are being acquired by this Authority in order to implement a planning study undertaken by the City Department of City Planning and this Authority for the area of Lawrenceville centered around the intersection of Butler Street and Penn Avenue. These properties will be marketed to redevelopers for new townhouse developments.

Also,

No. 1229 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 6th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot Nos: 25D-88, 25D-89, 25D-90, 25D-92, 25D-104, 25D-107, 48S-202, 48S-216, 48S-217, & 48S-218 (3321, 3323, 3325, 3329, 3344, 3340, 3343 Penn Avenue & 3409, 3411, 3413 Butler Street) under the Residential Land Reserve Fund, for the sum of \$1.00 plus all necessary and incidental expenses. These properties are being acquired by this Authority in order to implement a planning study undertaken by the City Department of City Planning and this Authority for the area of Lawrenceville centered around the intersection of Butler Street and Penn Avenue. These properties will be

marketed to redevelopers for commercial uses such as neighborhood retail stores and restaurants.

Also,

No. 1230 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Eugene A. Rogers for the sale of Block 23-F Lot 336 (1512 Arch Street) for the sum of \$3,200.00, in the 25th Ward of the City of Pittsburgh. The property is being acquired following certification as blighted property by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The redeveloper will rehabilitate the existing residential structure on this property.

Also,

No. 1231 Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of various properties in the City of Pittsburgh. The properties are being acquired following certification as blighted property by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The properties will be sold to the redevelopers for use as sideyards.

Also,

No. 1232 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Robert Lurcott to meet with state officials concerning the status of the Strategy 21 Economic Development Projects in Harrisburg, PA on July 29, 1986, at a cost not to exceed \$300.00, payable from Code Account No. 1103. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Pollock for Mr. Wagner presented

No. 1233 Resolution transferring the sum of \$40,000.00 from Code Account 41, Refunds-Real Estate Tax, in the Department of Finance, to Code Account 1452-2, Legal Defense Contribution Fund, Bureau of Police, Department of Public Safety.

Which was read and referred to the Committee on Finance.

Also,

No. 1234 Resolution amending Resolution No. 488, effective June 10, 1986, entitled: "Providing for an Agreement or Agreements with the South Side Community Council for professional services in connection with the South Side Sooners Youth Football Program at a cost not to exceed \$2,000.00, payable from Code Account 1838, Miscellaneous Services, Department of Parks and Recreation," by including South Side Community Council as the service provider. —(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 1235 Communication from John Norton, Director, Department of Public Safety, requesting permission for Jim Winchell, Audio Visual Coordinator, Bureau of Administration to attend the International Association of Chiefs of Police (IACP) Seminar to be held in Virginia Beach, VA, August 25-29, 1986, at a cost not to exceed \$1,600.00, payable from the Department of Public Safety, Bureau of Administration, Code

Account (PRIST).

Also,

No. 1236 Communication from John Norton, Director, Department of Public Safety, requesting permission for Officer Lawrence D. Maraldo and Officer Louis Canova to attend an Automotive Training State Inspection at CCAC from July 21-23, 1986, at a cost not to exceed \$150.00, payable from the Department of Public Safety, Bureau of Police, Code Account (DPSTPP). This State Inspection course will certify them to inspect heavy trucks, heavy trailers and buses. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on Public Safety.

The Chair presented

No. 1237 Communication from Norbert C. McDermott, Jr., Comptroller, Allegheny County Sanitary Authority, submitting a list of the Authority's personnel as of June 30, 1986.

Which was read, received and filed.

Michelle Madoff:

Discussion. Something just occurred to me. Under the Ethics Commission bills, the list is put in but needs nothing. We don't know who sponsored them. Could we obtain a list of the sponsors of all the people that work for the authorities and for whatever?

The Chair:

I don't know if anybody's sponsoring but I don't think you can. You go down and put an application in and get a job. I don't know about sponsors.

Michelle Madoff:

You want me and the public and the media to believe that if somebody comes down sponsored by an influential member of government that they don't get the job over someone else? Is that what you're telling me?

The Chair:

Michelle, I don't care what you believe. I just gave you my answer. I don't know if there's a list of anybody that is sponsored by anybody.

Michelle Madoff:

I know there's not a list. I'm suggesting that it might be appropriate as opposed to just getting a list that means absolutely nothing to me, to know who the sponsors of those people were.

The Chair:

There is no such person.

Michelle Madoff:

I think it might be pertinent that we see that something like that is made available.

The Chair:

There is no such thing. That's what I'm trying to tell you.

Michelle Madoff:

I'm trying to tell you that it's never been written down but everybody has sponsors.

The Chair:

If it's not written down, what should I do, wave a magic wand and here comes the list?

Michelle Madoff:

I mean, if I were to ask you if you sponsored a specific person, you would know whether you did or not.

The Chair:

I would?

Michelle Madoff:

Yes.

The Chair:

I didn't sponsor anybody.

Michelle Madoff:

Or any other member of this Council sponsored anybody for any job in this City?

The Chair:

Anyone who goes down there and puts their name in —

Michelle Madoff:

Mr. Woods, you're saying that there's not a person in the City whose job you sponsored?

The Chair:

Yes.

Michelle Madoff:

There is none?

The Chair:

There is none.

Michelle Madoff:

There's not one person —

The Chair:

Except the people who work for Ben Woods, in Ben Woods' office, or one in this —

Michelle Madoff:

You're telling me that no relatives go anywhere and get hired anywhere because they have contacts on this Council that carry some weight?

The Chair:

None of mine.

Now we'll go on to the regular order of business.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1238

Report of the Committee on Finance for July 23, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1111

A Resolution entitled, "Resolution providing for an issuance of a warrant in favor of Trumbull Corporation #Perry J. Dick, President) in the amount of \$15,717.95 in payment of Extra Work, being in addition to the original contract price of \$4,083,511.40 on Contrroller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street, Phase I; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1116

A Resolution entitled, "Resolution providing for the issuance of a \$1,506.61 warrant in favor of James Hawk in full settlement for automobile damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Woods
Michelle Madoff	(Pres't)

AYES 7

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1117

A Resolution entitled, "Resolution transferring the sum of \$25,000.00 to Code Account No. 1042-1, Index Code 104216, Premium Pay, City Information Systems, Department of the Mayor, from Code Account No. 1043, Index Code 104307, Miscellaneous Services, City Information Systems, Department of the

Mayor."

Which was read.

Also,

Bill No. 1119

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the implementation of Foreman's Supervisory Development Program for City employees and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 1120

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania in connection with the Employment and Training Program for Pregnant and Parenting Youth funded through the Commonwealth of Pennsylvania General Fund; providing for the execution of a Grant Contract; authorizing the City of Pittsburgh to enter into Agreements in conjunction with the Pregnant and Parenting Youth Employment and Training Program; providing for the required assurances; and providing for the deposit of funds into the Job Training Partnership Act (JTPA) bank account."

Which was read.

Also,

Bill No. 1121

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the

Commonwealth of Pennsylvania in connection with the Job Training for General Assistance (GA) Welfare Recipients Program funded through the Commonwealth of Pennsylvania General Fund; providing for the execution of a Grant Contract; authorizing the City of Pittsburgh to enter into Agreements in conjunction with the Job Training and General Assistance (GA) Welfare Recipients Program; providing for the required assurances; and providing for the deposit of funds into the Job Training Partnership Act (JTPA) bank account."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Woods
Michelle Madoff	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1135

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Arnold Corporation, Cleveland, Ohio 44191 in the amount of \$612.58 for Employee Time Reports and

providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Woods
Michelle Madoff	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1239

Report of the Committee on Finance for July 28, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1065

A Resolution entitled, "Resolution increasing the bonded indebtedness in an amount not to exceed \$250 million in order to refund outstanding City bonds and to raise \$50 million for the City's Capital Construction Program."

Which was read.

Mr. Grabowski:

Mr. President, on the last bill, the bond legislation, 1065, I cannot in good conscience vote for another bond issue where the lead underwriters come from out of this City and out of this state. Since I've been on this Council a number of general obligation bonds have gone out and probably makes us at \$300 million. Each and every time that business is being done out of Pittsburgh, and I can't understand for the life of me, why we are consistently going out of town when we have competent and capable underwriters right here in our own city. There are several. In fact, when we come to my committee on General Services there's a bond issue where the lead underwriter is Pittsburgh National Bank and I'm very happy to support that. But from now on, this Councilman will not be voting for any bond issue where the lead underwriters come from outside the City of Pittsburgh.

One other interesting feature of this particular issue is that last Thursday these bonds were sold, and I don't think a proper way to conduct business is for the Department of Finance to authorize the sale of these bonds when this Council has not given final approval. I will not sanction it, I will not vote for it, and I would recommend that the other members of this Council do not either.

Mr. Givens:

I would just like some comment. I think they're pretty strong statements and I agree with Mr. Grabowski on the fact that we're not trying to use underwriters not to do anything with the people and gentlemen who are still in this room. But, you know, that is a feel of the financing that hopefully our local people can get more involved in than what they have been in the past several years. I know in some cases we use

exclusively in some cases people from the local area in smaller bond issue. I think the local bondpeople in the City of Pittsburgh must have a more aggressive issue of going out and trying to sell these bonds. I think that's been a kind of a weak point with them over the last years. But I think we need a little encouragement from the people from New York and from the financial community up there to move along. Our people down here, or what Steve Grabowski so indicated, might be future trends within this Council and maybe other municipalities.

All we're saying is, we have people here; we want to use some of our people. If that requires a little bit extra schooling, a little bit extra help from the financial community of New York, then let's have it that way. Let's get them into the act where they can put their communications into the nerve system of the financial community of New York and L.A. and other places, where our own people can have access to some of these underwriters.

On the second issue that Mr. Grabowski brought up, the actual signing of this 1065, it's been traditional within the Council that we give preliminary approval which we have done, Mr. President. They have to have that in order to go out. In fact, if this Council would not vote on that particular \$63 million bond issue, it is dead. So we do, really in this Council, have the last say, along with the Mayor of the City of Pittsburgh and the Controller of the City of Pittsburgh who must also attest his signature to this particular bond issue. It is something apparently all municipalities do if the interest rates did not come in, as they did not come in the some \$200 million that we were trying to refinance. Again, nothing would have happened. If the market was right, we move forward.

So, I do believe we have the last say in any of this. If not, let it be a warning to anybody who goes out and tries to sell bonds on behalf of the City of Pittsburgh, that if its not done appropriately then this Council will not go along with an interest rate that we incur for our citizens for a 30 year period. Then, if this City would be found in default, then the burden definitely has to lie upon those people who will go out and do this very delicate financial business for the City of Pittsburgh.

Mrs. Masloff:

Mr. President, it's my understanding from Mr. Schillo that no local firms wanted to commit themselves when they had uncommitted buyers. That's why it didn't go to a local firm.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 6

NOES 1

(MR. GRABOWSKI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Pollock presented

Bill No. 1240

Report of the Committee on Planning, Housing and Development for July 23, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1130

A Resolution entitled, "Resolution providing for an amendment to Resolution No. 427, effective June 10, 1983, as amended by Resolution No. 974, effective November 7, 1984, entitled: 'Providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1983 Community Development Block Grant Program; and providing for the payment of the costs thereof,' to decrease the total allocation of funds from \$13,543,000.00 to \$13,418,000.00 and make adjustments to line items and create new line items."

Which was read.

Also,

Bill No. 1131

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 167, effective March 7, 1983, as amended by Resolution Nos. 394 and 692 of 1983; and by Resolution No. 940 of 1984; and by Resolution No. 634 of 1985; and by Resolution Nos. 103, 177, and 515 of 1986, entitled: 'Providing for the filing of a Community Development Statement by the City of Pittsburgh with

the Department of Housing and Urban Development for a grant in connection with the 1983 Community Development Block Grant Program', so as to reprogram funds from the Neighborhood Commercial Facade Program to other neighborhood commercial support programs."

Which was read.

Also,

Bill No. 1132

A Resolution entitled, "Resolution providing for an Agreement with Associate Consultants, Inc. for management and technical assistance to small, disadvantaged and minority business firms at no cost to the City."

Which was read.

Also,

Bill No. 1133

A Resolution entitled, "Resolution providing for Agreements or Agreements with the Hill District Community Development Corporation for the purposes of planning and implementing a vacant lot treatment program in the Centre-Wylie commercial area as part of the City's Neighborhood Business District Revitalization Program."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Woods
Michelle Madoff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 1241

Report of the Committee on General Services for July 23, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1136

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase 200 Mattress and 200 Springs to use at the various Fire Stations and providing for the payment thereof."

Which was read.

Mr. Pollock:

On Bill No. 1136 which is the purchase of 200 mattresses and 200 springs, I just want the record to reflect that the three companies that are being solicited to bid on this, of the three, two are local companies; the Pittsburgh Mattress Company and the Crown Rest Bedding Company. So I want that to be on the record.

The Chair:

Is there further any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Woods
Michelle Madoff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1242

Report of the Committee on General Services for July 28, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1156

Resolution providing for a Resolution authorizing the City of Pittsburgh to incur lease rental debt in the amount of \$_____ by entering into an equipment lease and an amendment to an existing lease with City of Pittsburgh Leasing Authority at annual rentals in varying amounts which will be sufficient to pay the principal of and interest on the Authority's equipment revenue bonds, Series of 1986-A and Series of 1986-B,

the proceeds of which will be used to pay the cost of acquiring equipment and refunding the Authority's outstanding Series of 1982-A Bonds, respectively, and paying financing costs relating to each series; approving the form of lease and amendment and authorizing execution execution of the official statement relating to the Authority's bonds.

Which was read.

Mr. Grabowski:

On Bill 1156 which is a bond issue for the Equipment Leasing Authority in the amount of \$15,900,000, I want it noted that it is a local firm that is doing the underwriting. In fact, there is only one underwriter and the bonds are not yet sold. The Equipment Leasing Authority is waiting for approval from this Council before they will issue the bond.

Michelle Madoff:

For the record on the bond issue for the Leasing Authority, it should also be noted that the first time a minority attorney will have an opportunity to share in the procedures so that he can be listed in the Red Book and therefore become a minority person who can deal in bonds.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Woods
Michelle Madoff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 1243

Report of the Committee on Engineering and Construction for July 23, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1112

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for professional engineering services in connection with the Design of the South 12th Street Bridge Rehabilitation; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of costs thereof."

Which was read.

Mr. DePasquale:

Mr. President, where is the South 12th Street Bridge? Are you talking about the 10th Street Bridge or the 22nd Street Bridge?

The Chair:

South 12th Street.

Mr. DePasquale:

Where is there a bridge there?

Mr. Vaughn:

Up over the Conrail tracks.

Mr. DePasquale:

Okay.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Woods (Pres't)

AYES 6 NOES none

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Grabowski presents

No. 1244 WHEREAS, on Tuesday, August 5, 1986, thousands of people of Polish heritage from Pittsburgh and the

Tri-State area will celebrate the Fifty-Fifth Anniversary of Polish Day at Kennywood Park; and

WHEREAS, this annual cultural celebration is a time to renew friendship, explore the wonders of the amusement park, and enjoy the traditional Polish dancing, singing, and culinary delights; and

WHEREAS, this year's Polish day is dedicated to the memory of two distinguished Pittsburgh Polish-Americans: Dr. Teofil A. Starzynski, the first president of the Central Council of Polish Organizations, a National President of the Polish Falcons, and founder of the Polish Army in America in 1917; and Victor L. Alski, publisher and editor of Pittsbuczanin, the local Polish language newspaper, an influential editorial writer of national reputation, and organizer and first Chairman of this Polish Day celebration; and

WHEREAS, this event also is a social and political rallying point for Poles throughout Western Pennsylvania, recalling ethnic solidarity, pride, and accomplishments of men such as Dr. Starzynski and Mr. Alski.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby pay tribute to the tremendous contribution of Polish-Americans to the social and cultural life of the Pittsburgh Metropolitan area and join in the joyous celebration of the Fifty-Fifth Anniversary of Polish Day at Kennywood Park.

Mr. Grabowski moved to adopt the resolution.

Mr. Pollock seconded the motion.

Which motion prevailed.

Mr. DePasquale:

Are we all invited?

Michelle Madoff:

Only the Poles. And that leaves you out but I'm in.

Mr. Grabowski:

Buy a ticket.

Mr. Pollock presents

No. 1247 WHEREAS, the City of Pittsburgh, through the pioneering work of Dr. Thomas Starzl, has deservedly earned the distinction of being known as the Human Transplant Capital of the World; and

WHEREAS, the nation of Israel, because of its many war veterans suffering liver trauma and because of the high incidence of hepatitis, is the number one country in the world in need of liver transplants; and

WHEREAS, not only is the cost of seeking liver transplants in Pittsburgh by Israeli citizens over \$150,000.00 and thus prohibitively expensive, but the practice of donor organs going to foreigners in general is a problem; and

WHEREAS, while Israel has a desperate need of a transplant program, it fortunately also has Dr. Igal Kam, considered by many to be the world's second best liver transplant surgeon who, during his two years of training with Dr. Thomas Starzl, participated in 300 liver operations and headed the surgical team on nearly 70 cases; and

WHEREAS, the Pittsburgh Chapter of American Technion Society has launched a fund raising campaign to establish the first human transplant

center in Israel at the Technion Medical Center to be known as the Bernard S. Mars Family Pittsburgh Human Transplant Center; and

WHEREAS, Dr. Thomas Starzl, who has been to Israel over a dozen times, is assisting in the effort to see that Israel obtains a transplant program; and

WHEREAS, Bernard S. Mars is a gentleman whose selfless and dedicated efforts on behalf of numerous philanthropic and humanitarian causes over many years has been accomplished in his own quiet, altruistic and effective manner.

NOW, THEREFORE, BE IT RESOLVED, that the Council and the Mayor of the City of Pittsburgh recognize and congratulate the Pittsburgh Chapter of the American Technion Society and Dr. Thomas Starzl on this worthy undertaking, thank them for naming the Transplant Center after our City and one of its most deserving sons, express pride and support for this project, and urge all Pittsburghers to support the Bernard S. Mars Family Pittsburgh Human Transplant Center to be opened in Israel.

Mr. Pollock moved to adopt the resolution.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Mr. Pollock:

Mr. President, because of its length, it wasn't able to be put on one of the large certificates. Could I have permission to delete one or two paragraphs in the final form so that it will fit on there?

The Chair:

Yes.

Michelle Madoff:

So moved.

Mrs. Masloff:

Second.

Which motion prevailed.

Mr. Pollock:

Thank you.

Mr. Pollock presents

No. 1246 WHEREAS, the United States Post Office located in Two Mellon Bank Center (formerly the Union Trust Building) is one of the busiest post offices in Pittsburgh; and

WHEREAS, said post office is used by City and County employees, judges, lawyers, business people and other individuals; and

WHEREAS, the United States Post Office authorities have determined that the post office in Two Mellon Bank Center will be closed soon and no other location for said post office will be utilized; and

WHEREAS, it is important to the smooth and economical operation of the business of the City, County, State Court system, and the many business and professional offices located on or near Grant Street that there be a post office located in the proximity of Grant Street.

NOW THEREFORE, BE IT RESOLVED that the Mayor and the Council of the City of Pittsburgh do hereby respectfully request that the

Postmaster for the City of Pittsburgh re-examine the decision to close and not relocate the post office in Two Mellon Bank Center and further, the Mayor and the Council offer their assistance in any way possible so as to keep a post office on or near Grant Street.

Mr. Pollock moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Michelle Madoff:

Discussion. Just for general information, that post office probably brings in more money than almost any post office — probably the most money of any post office.

They were offered another site in one of the other buildings but they declined because they didn't want to pay the rent. I don't know what the answer to that is and I don't know just what you propose to do, Mr. Pollock. Our office was contacted about the same issue and we just didn't know where to proceed. This is a wish list and we could say that we'd like them to do it. I don't know what would happen but I think if we put emphasis on the fact that, again, I repeat, this is the most used, highest volume post office in the City and we ought to find out whether Kaufmann's is going to be prepared to take over that volume.

Mr. Pollock:

I just learned that there is another post office on Fourth Avenue in the McGee Building. I've never used it. And you mentioned there's a small one in Kaufmann's. I don't know if each of these are full post offices, number one; and number two, with the one in Two

Mellon Bank Center closing, the lines at these other two are just going to be so ridiculous that they might as well not even be there.

The reason why I feel its a matter of public interest is because of the number of public employees who will be using this post office. So, if anyone, a Council employee or a City employee or a County employee is directed to go to the post office, needless to say if he or she has to go to either the Federal Post Office Building or the other building, it's going to double to triple the time that that person is out of service, either waiting in the line or having to travel a greater distance.

So, as you said, it is a wish but my intent is to send this resolution to the Post Master of Pittsburgh and, as I said, it's the Mayor and City Council, hopefully unanimously, and ask that they consider this more seriously.

Michelle Madoff:

It's also jobs.

Mr. Pollock:

No, no, I've asked that. No one will be laid off.

Michelle Madoff:

It would seem to me that if they take the old post office which used to be the main post office which is, I believe, still open around the clock, we ought to check that out, move the people over and expand the service. It's a matter of two extra blocks. I don't think that's the end of the earth. But they were offered space somewhere else and turned it down. I think what we need is a response as to why, based on the volume of business they're doing, and what the alternatives are going to be based on

your comment that people will be standing in line. At least we deserve a response.

Mr. DePasquale:

More along the lines of what Michelle was saying, we all know its so important to the people who work Downtown; it's such a central area. Did they give any reasons as to why they're closing it down?

Mr. Pollock:

They have to close the one they're in because the landlord of the building is doing some remodeling. So they are being relocated involuntarily. My concern is that they're not reopening it anywhere.

The Chair:

Okay, next resolution.

Mr. Pollock presents

No. 1248 WHEREAS, in April of this year, the Board of the Public Education of the City of Pittsburgh, because of budgetary considerations, took action to eliminate school busing for elementary school students who reside within 1.5 miles of their school; and

WHEREAS, when neighborhood schools were closed by the Board in the late 1970's because of a declining school population and in order to achieve racial balance, parents' concerns about the distance their children would be required to travel were assuaged by the assurance that busing would be provided; and

WHEREAS, the winter weather, topography and traffic conditions and the unfamiliarity with the new walking routes result in a dangerous condition for

the school children; and

WHEREAS, State law provides that the Board shall bus students who reside within 1.5 miles of the school if the course which the students traverse is designated a "hazardous route"; and

WHEREAS, the parents of the elementary school students, the Council of the City of Pittsburgh, and all caring individuals including the members of the Board of Public Education, are all concerned about the safety and well-being of our City's young children.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh respectfully requests that the Board of Public Education of the City of Pittsburgh re-examine its decision to eliminate busing for elementary school students who reside within 1.5 miles of their school or, in the alternative, to broadly interpret the "hazardous route" designation considering the safety of the children and to expeditiously process the more than 400 "hazardous route" applications filed with the Board.

Mr. Pollock moved to adopt the resolution.

Mr. Givens seconded the motion.

Which motion prevailed.

Michelle Madoff:

Discussion. **Mr. Pollock**, your resolution is one that I wish was introduced when my child was six years old and she walked three-quarters of a mile to school, just under a mile, and back. They wouldn't even let her have lunch in the school and there was nowhere that she could eat, nowhere to keep the food. It seems to be whatever

is convenient for the school system.

My gut feeling is that all the resolutions that we might pass, again, being a wish list, I would think that we ought to let the parents on the hazardous routes know that a class action suit might be the appropriate route to take.

Mr. Givens:

I agree with Mark and I'm glad he brought it to our attention because I'm well aware of this 1.5 mile radius. In fact, many of the schools, the private schools in the City of Pittsburgh, at one time, Mark, were being denied this through the federal government and the state and there was a great push on to make sure it happened.

The fact that we have done away with many of our elementary schools, especially within the City of Pittsburgh, and closed them down, we have young children, both young little girls and boys, walking 1.5 miles in a major metropolitan city, through a lot of neighborhoods. That's exposing these children to something that I don't think they should ever be exposed to. If the school is to protect our children while they're in that transitory movement then they have to consider the total health of that child. They cannot leave many of these children walk up to 1.5 miles, and some of them are doing that.

I'll give you an example in my own neighborhood right there, I think it's 1.4 miles from my home down to Arsenal Middle School and many children in that neighborhood have been going down there. This will eliminate them from that Arsenal Middle School. As a result, it's going to be very traumatic in that particular neighborhood and other neighborhoods where children have to go in some cases maybe even across the bridge or railway tracks, etc. It's very

dangerous and I appeal wholeheartedly to the School Board to please reconsider this.

Mr. Pollock:

On the same subject, I'm always a little leary about stepping on someone else's territory but we have always been reluctant to introduce resolutions calling on the State House or the U.S. Congress and I think we should not shirk our duty and we're asking the School Board to do something just because it's a local body. It isn't our jurisdiction but naturally the safety and well-being of the children from the City are our concern.

Again, they have their own budgetary concerns that aren't ours but at the different public hearings that I've gone to, there has been testimony that some of the busses that they've used to bus children in the elementary school the distance, were being underutilized; there are whole busses pulling up to schools with only two or three children in them. So, maybe if they could possibly re-examine their use of the busses and get a more economical, efficient use of the busses, they could permit the busing of elementary school children. I think one and a half miles is a long way to walk for a young child especially, as we all know, with what Pittsburgh winters are like and with our hills and everything else. I think before a tragedy occurs that everyone would not want to see happen that I hope they can find the dollars to do this. Thank you.

The Chair:

Thank you, Mark.

Michelle Madoff:

On another subject. We have a hearing tomorrow, I believe, on Water.

The issue is on not only flat rates, meters, but on why water rates are being raised and the whole spectrum of the Water and Sewer Authority. The \$264 million bond, that was a very close call; it was a 5-4 vote. Four of us did not want the Water and Sewer Authority. We were afraid that what was going to happen has happened and I believe we agreed to televise that. I just want to make sure.

I would like to move that that be televised. There are a lot of senior citizens who cannot come to the hearing tomorrow on flat water rates simply because they are just too old to come down.

Mr. Pollock seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale
Michelle Madoff

Mr. Pollock

AYES 3

NOES 3

VOTING NO:

Mr. Grabowski
Mrs. Masloff

Mr. Woods
(Pres't)

(MR. GIVENS ABSTAINING)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Michelle Madoff:

Comment for the record. It's unfortunate that my colleagues aren't here; I think the bill would have passed. And I believe that it is unfortunate that the senior citizens who cannot attend this meeting tomorrow will not be able to hear what is going on.

On another matter. Did you get a letter delivered to you from Meyer, Unkovic and Scott from Michael Boyle? Did you get a copy of that? What do we do now? How do we proceed?

The Chair:

I thought we were going to try to get an estimate of how many hours he felt it was going to take, not just the hourly rate.

Michelle Madoff:

I can't answer that for you because I don't know that anybody knows that.

The Chair:

Well how about responding back on what he feels how many hours it would be.

Michelle Madoff:

Will you be taking care of that?

The Chair:

You can do it.

Michelle Madoff:

You want me to do it? I've asked him the question and the answer was he doesn't know. He doesn't think it will be a tremendously long time but the issue is not so much is it legal or is it not legal.

Don't tell me how you can't do it because we don't want it on, as you've stated yourself, as a referendum on the ballot. We're talking about set aside programs, not going on the ballot because the feeling of this Council, basically, is that it would fail. If we really need to start some programs, business for minorities and women, then we need some kind of legislation that we could vote on here in Council. If we spent \$26,000 to get an opinion as to buying the Stadium, I see no reason why, if it costs us a few thousand dollars, we cannot spend the money for this attorney. I don't think any attorney can tell you the exact number of hours and I'm sure you know that and I know that.

The Chair:

That is my exact point. We spent \$29,000, almost \$30,000 on the Stadium, whether it was good, bad or indifferent, and I don't want to run into the same thing with that kind of money.

Michelle Madoff:

Every time we go to a bond, we spend millions on bond counsel and underwriters

The Chair:

He stated all his qualifications; he worked for the City Controller for 16 years, worked for another government, Avalon or somewhere, for 18 years. So, he must have some vast knowledge and I'm sure he can give us some kind of idea on how long it will take.

Michelle Madoff:

You want to have an outside figure, not a minimum but a maximum figure.

The Chair:

Right.

Michelle Madoff:

Okay, I will see that we get that.

I've got one other item. I am not going to let the issue rest on what I raised today about receiving and filing lists of people that work for authorities and work for the City. I believe that it should be the law, and I'm going to introduce some kind of legislation, I'm going to speak to people on the Ethics Commission, because it's a joke when we have a list of who works there and we don't know who sponsors the people. It's a fact, it's a known established fact that people who get jobs, many jobs in the City, are getting them because they're related, formerly related, cousins of, and sponsored by members of this Council, the Mayor's Office, the Controller's Office, and that's the fact.

I think the public has a right to know when they look at the list who sponsored the people on the jobs. Mike Perry has a list of every job in City Council and who sponsored that person and I see no reason why we don't get that kind of information available to the public.

I don't know the names when I look at it. I'm just very surprised every now and again to hear, "Oh, that's so and so's cousin and that's so and so's son, and that's his ex-wife." We all know who I'm talking about but you're on Council but I don't think the media knows and I don't think that the public knows. I think they have the right to that information because every single day every one of us gets calls in our office saying, "Can you get me a job? My child has great credentials." And I say, "I'm sorry, there's just nothing I can do." There's a

waiting list, there's a union list, and I have no input. I don't have the majority of clout that this Council has on the five or six votes where you trade off jobs for a vote. I can't give you that. I have no influence.

And I think the public is entitled to know where the jobs come from and who has sponsored that person and I don't think we ought to let it go. Unfortunately, it probably won't pass this Council because you get six votes to shoot it down like we got the majority of votes not to show what's going on and why water rates were raised for people to watch tomorrow.

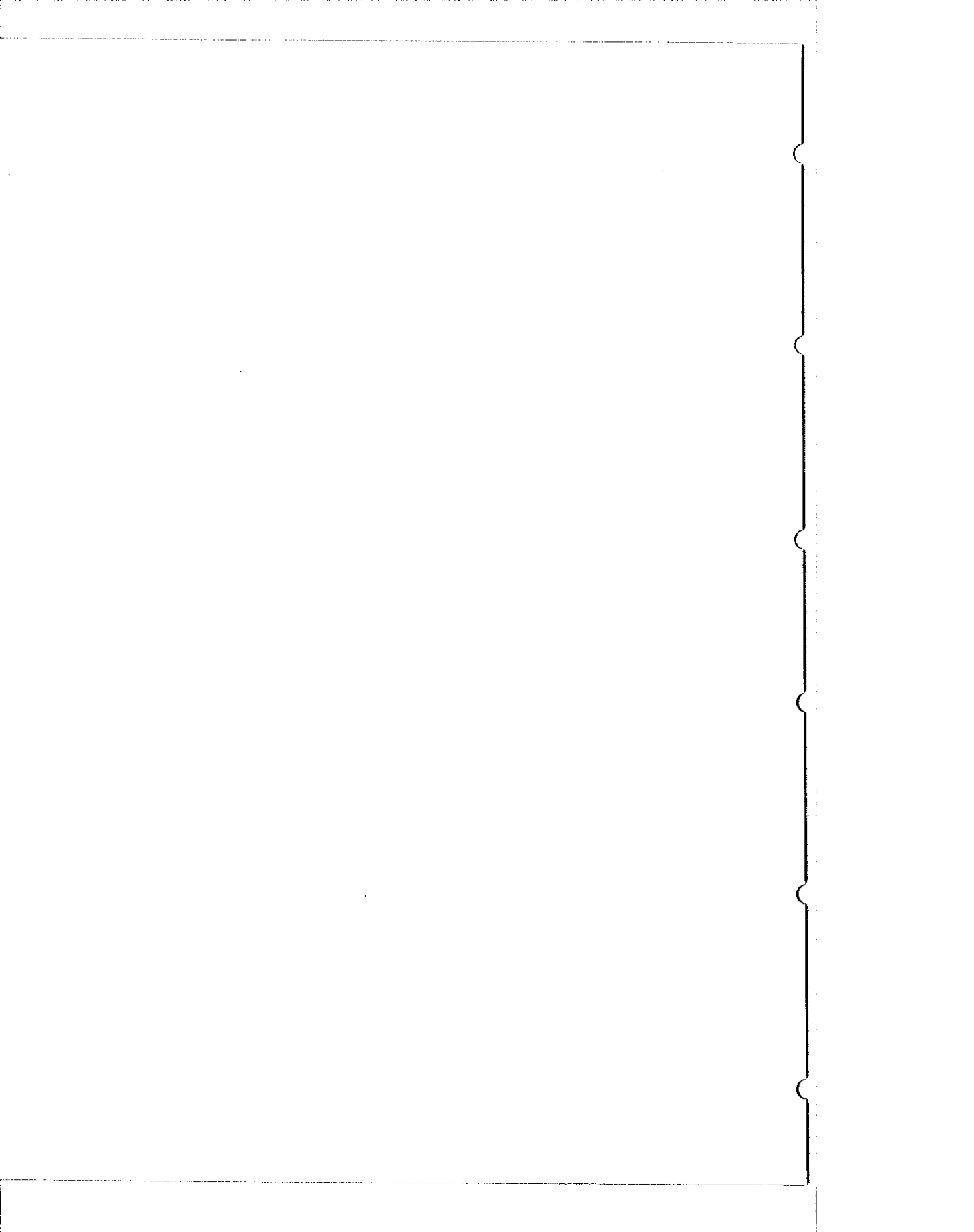
Mrs. Masloff moved to excuse Mr. O'Malley and Mr. Wagner for absence from the meeting.

Michelle Madoff seconded the motion.

Which motion prevailed.

And on the motion of **Mrs. Masloff**

Council adjourned.



Municipal Record

Proceedings of the Council of the City of Pittsburgh

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Monday, August 4, 1986

No. 31

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk
Pittsburgh, PA
Monday, August 4, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Givens presented

No. 1249 Resolution vacating Bryn Mawr Road from Ossipee Street to Herron Avenue in the 5th Ward, City of Pittsburgh. Subject to all utilities and

easements existing on Bryn Mawr Road.

Also,

No. 1250 Resolution granting unto David O'Brien, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a Fence and Driveway in a portion of the right of Way at Wellesley Avenue in the 11th Ward of the City of Pittsburgh.

Also,

No. 1251 Resolution granting unto Duquesne Light Company, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Sidewalk Vault on a portion of the sidewalk of Bouquet Street in the 4th Ward of the City of Pittsburgh.

Also,

No. 1252 Resolution granting unto Allegheny General Hospital, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an easement for a pedestrian tunnel in a portion of the sidewalk and street of Hemlock Street in the 22nd and 25th Wards of the City of Pittsburgh.

Also,

No. 1253 Resolution granting unto Eye and Ear Institute of Pittsburgh, their successors and assigns, the privilege and license to construct, maintain and use at

their own cost and expense, a pedestrian bridge over a portion of the right-of-way of Lothrop Street in the 4th Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

Mr. O'Malley presented

No. 1254 Communication from Mayor Caliguiri, requesting permission for Mina Gerall to participate in the Leadership Pittsburgh Program at a cost not to exceed \$1,500.00, payable from Code Account 1017.

Which was read and referred to the Committee on Finance.

Mr. Pollock presented

No. 1255 Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the transfer of funds for site improvements for housing development in Homewood at a cost not to exceed \$141,716.64.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 1256 Resolution providing for a Contract or Contracts from time to time in connection with the demolition and removal of condemned buildings at a cost not to exceed \$400,000.00, chargeable to and payable from Community Development, FD 86-01, Demolition and/or Sealing of Condemned Buildings, Including Site Restoration and Boarding and Party Walls.

Also,

No. 1257 Resolution providing for

an Agreement or Agreements with the Center for Victims of Violent Crime for professional services in connection with advocacy services at a cost not to exceed \$30,000.00, chargeable to and payable from the Department of Public Safety, Bureau of Administration, Code Account 1401.

Also,

No. 1258 Communication from John Norton, Director of Public Safety, requesting permission for Detective Richard Meister, Bureau of Police to attend the International Association Auto Theft Investigators (I.A.A.T.I.) Training Session to be held in Hartford, Connecticut from August 3-8, 1986, at a cost not to exceed \$1,000.00, payable from the Department of Public Safety, Bureau of Police, Code Account DPSTPP. (PRIOR APPROVAL GRANTED)

Also,

No. 1259 Communication from John Norton, Director of Public Safety, requesting permission for Inspector Ralph Lang, Fire Prevention Division, Bureau of Fire, to attend the National Fire Academy, Emmitsburg, Maryland August 17-29, 1986, for Fire Prevention Specialist II Training, at a cost not to exceed \$250.00, payable from the Department of Public Safety, Code Account DPSTPP. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Safety.

Mr. Givens moved to suspend Rule 8 by providing for consideration of all the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Pollock seconded the motion.

Which motion prevailed.

The Chair presented

No. 1260 Communication from Ronald Schmeiser, Director, Department of Finance, submitting a report of deposits and market value of collateral security pledged by City Depositories to secure same as of June 30, 1986.

Also,

No. 1261 Communication from Tom Flaherty, City Controller, submitting a report of the Fiscal Audit of the Firemen's Relief and Pension Fund.

Which were read, received and filed.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1262

Report of the Committee on Finance for July 30 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1146

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of DePasquale Brothers (Fred DePasquale, President) in the amount of \$1,121.00 in payment of Extra Work, being in addition to the original contract price of \$68,717.00 on Controller's Contract No. 27723-F, furnished for the benefit of the City in connection with

the Reconstruction of the Cuthbert Street Steps; and providing for the payment thereof."

Which was read.

Michelle Madoff:

I vote no because I — I voted yes originally, I'm voting no because of the change of vote by Mr. DePasquale.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES 1

(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1147

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Criscella Construction Company (Emeric A. Criscella, President) in the amount of \$513.00 in payment of Extra Work, being in addition to the original contract price of \$45,825.00 on Controller's Contract No. 27188F,

furnished for the benefit of the City in connection with the Handicapped Modifications to Special Populations Program Centers; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1162

A Resolution entitled, "Resolution providing for the issuance of a \$949.79 warrant in favor of Edward G. Bloomer in settlement of claim for automobile damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1164

A Resolution entitled, "Resolution

amending Resolution No. 19, approved January 29, 1986, effective February 4, 1986, entitled: 'Providing for an Agreement or Agreements with Court Reporter or Reporters in connection with the taking of testimony at Civil Service Commission and Appeal Board Hearings; and providing for the payment of the cost thereof,' by increasing the amount of the Agreement."

Which was read.

Also,

Bill No. 1165

A Resolution entitled, "Resolution authorizing the City to enter into an Agreement or Agreements in the form of a sublease with the County of Allegheny, the Public Auditorium Authority of Pittsburgh and Allegheny County, and Grant-Liberty Development Associates for the purpose of locating, constructing, reconstructing, using, repairing and maintaining a bridge between the Liberty Center Hotel and the Convention Center."

Which was read.

Also,

Bill No. 1166

A Resolution entitled, "Resolution providing for a Contract or Contracts or use of existing Contracts for the furnishing, delivery, and installation of Mailroom Equipment and Mailroom Furniture for the Department of Finance; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1167

A Resolution entitled, "Resolution Repealing Resolution No. 1202 of 1985 and establishing the Retiree's Pension Fund Trust Fund and certain funding and disbursement guidelines for such trust fund and authorizing and directing the appropriate City Officials to carry out such guidelines."

Which was read.

Also,

Bill No. 1168

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of property or properties, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 1170

A Resolution entitled, "Resolution transferring the sum of \$2,729.00 (Two Thousand Seven Hundred Twenty Nine Dollars) from Code Account No. 1103, Miscellaneous Services to Code Account No. 1104, Supplies."

Which was read.

Also,

Bill No. 1202

A Resolution entitled, "Resolution providing for a Lease or Leases and/or License or Licenses with Union Real Estate Company of Pittsburgh in conjunction with operation of Carrick Farmer's Market, further providing for paving of site by Department of Public Works in return for its ongoing use by the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1215

A Resolution entitled, "Resolution providing for payment to the Public Auditorium Authority of Pittsburgh and Allegheny County of amounts with respect to the operation and maintenance of the Civic Arena by entering a Supporting Agreement with respect to operating expenses with Public Auditorium Authority of Pittsburgh and Allegheny County and the City of Pittsburgh and County of Allegheny; authorizing and directing the proper officers of the City to execute the First Amendment to Supporting Agreement between Public Auditorium Authority of Pittsburgh and Allegheny County and City of Pittsburgh and County of Allegheny relating to operating expenses of the Civic Arena dated December 1, 1985; providing for the proper officers of the City of Pittsburgh to take all other required, necessary and desirable action in connection with said Supporting Agreement; providing for the effectiveness of this resolution; providing for the severability of provisions of this resolution, and providing for repeal of all inconsistent resolutions or parts of resolutions." (AS AMENDED BY SUBSTITUTE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 1263

Report of the Committee on Public Works for July 30 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1155

A Resolution entitled, "Resolution vacating a portion of an unnamed way from Bothwell Street for a centerline distance 68 feet eastwardly in the 26th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Pollock presented

Bill No. 1264

Report of the Committee on Planning, Housing and Development for July 30 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1134

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the purpose of providing architectural and design services, market studies, promotional activities, Main Street commercial revitalization planning assistance, and business district management in various neighborhood business districts as part of the City's Neighborhood Business District Revitalization Program."

Which was read.

Also,

Bill No. 1171

A Resolution entitled, "Resolution providing for an Agreement or

Agreements with the Lemington Home for administrative assistance and operating funds in an amount not to \$250,000.00."

Which was read.

Also,

Bill No. 1172

A Resolution entitled, "Resolution Repealing Resolution No. 74, effective February 17, 1977, entitled: 'Providing for a Contract or Contracts for the rehabilitation and renovation of the Kingsley House, located at 220 Larimer Avenue, Pittsburgh, Pennsylvania and providing for the payment of costs thereof.'"

Which was read.

Also,

Bill No. 1173

A Resolution entitled, "Resolution amending Resolution No. 256, effective April 2, 1986, entitled: 'Providing for a Single Room Occupancy Housing Demonstration Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$1,000,000.00 in tax exempt financing and developer's equity as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs' to further provide for the transfer of a related \$1,000,000 grant from the Department of Community Affairs from the City of Pittsburgh to the Urban Redevelopment Authority of Pittsburgh."

Which was read.

Also,

Bill No. 1174

A Resolution entitled, "Resolution further amending Resolution No. 303, effective April 11, 1979, as amended by Resolution No. 1136, effective December 21, 1979, as amended by Resolution No. 967, effective September 24, 1982, as amended by Resolution No. 928, effective October 16, 1985, providing for a Cooperation Agreement or Agreements between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh to implement certain components of the Urban Development Action Grant Program (UDAG) by increasing the total allowable amount from \$6,343,692.81 to \$6,500,731.64; an increase of \$157,038.83."

Which was read.

Also,

Bill No. 1175

A Resolution entitled, "Resolution authorizing a Fourth Amendatory Industrial Land Reserve Fund Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the payment to the Authority of the sum of \$400,000.00 to be used for site improvements and development costs associated with the Pittsburgh Technology and Industry Park (J & L Development Site)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1176

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and 1400 Brighton Associates for the sale of Parcels 7 and 8 in the 22nd and 25th Wards of the City of Pittsburgh in Redevelopment Area No. 49 (OFFICE BUILDING AND PARKING)."

Which was read.

Michelle Madoff:

One question please. On Bill 1176, the land being sold for \$2.00 a square foot for development by Brighton Associates -- I believe that's Mistick & Sons. I would appreciate Mike if you put in the name of the company doing the development.

Mr. Perry:

If it's in the resolution then naturally it would be in there. The name of the developer is in the cover letter.

Michelle Madoff:

Yes, but I would like the principals carried forward, if you would please.

Mr. Perry:

They have to put it in the resolution.

Michelle Madoff:

I know, but they've been asked a thousand times to do it. Would you please send a memo back saying you'd like to have principals, I believe that's who it is, am I not correct, Mr. Pollock?

Mr. Pollock:

It is Mistick.

Michelle Madoff:

It is Mistick. Now, the reason I'm concerned is I don't know if the \$2.00 a square foot is being sold because it's some property you just want to get back on the tax rolls, and any builder that would buy it and take it and do something good with it would be meaningful; and do we have other builders who would be willing to do that kind of thing?

I understand in this particular instance there's no money coming from the public troth. There's no UDAG or URA money. It is strictly their own funds. But, are they buying the property at below market value? I do not know that, and I'd certainly like to have that information at some point whether it's for the vote today or not.

Mark, would you get that for me?

Mr. Pollock:

Yes.

Michelle Madoff:

Thank you.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 7 NOES 1

(MR. O'MALLEY VOTING NO)

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1224

A Resolution entitled, "Resolution approving the Convention Center Proposal, dated July, 1986, including Modification No. 1 to the Redevelopment Area Plan, for Redevelopment Activities in Redevelopment Area No. 46, in the 2nd Ward of the City of Pittsburgh."

Which was read.

Mr. Pollock:

On Bill No. 1224 I make a motion so that effective date of the bill will be the date in which it is signed by the

Mayor.

Mrs. Masloff seconded the motion.

Which motion prevailed.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 1265

Report of the Committee on Parks and Recreation for July 30 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1158

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an independent contractor for the purpose of furnishing

professional services for the benefit of the residents of the City of Pittsburgh during 1986, and providing for the payment of the cost which is not to exceed \$19,500.00, \$15,000.00 shall be chargeable to and payable from Code Account 1837, Index Code 183707 and \$4,500.00 chargeable to and payable from Special Parks Program Trust Fund, Index Code 254359."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 1266

Report of the Committee on Public Safety for July 30 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 1137

A Resolution entitled, "Resolution authorizing and directing the Council of the City of Pittsburgh to conduct a formal investigation of the Public Safety Department and the Bureau of Police in accordance with Section 312 of the Home Rule Charter."

—(SPONSORED BY MR. WAGNER)

Which was read.

Mr. Wagner moved to recommit Bill No. 1137.

Michelle Madoff seconded the motion.

Mr. Grabowski:

Mr. President, before we recommit could I ask what the reason is for the recommitment?

Mr. Wagner:

Mr. Grabowski, I forgot that there was a public hearing this week that was a continuation of that previous public hearing which was the reason why this bill was initiated to begin with.

In addition to that at that public hearing we are entertaining several petitions from various neighborhoods about the change from the nine precincts to the five zones, so I felt it was only fair to let that issue be aired out completely prior to final vote on this.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Michelle Madoff	(Pres't)
Mrs. Masloff	

AYES 8 NOES 1

(MR. O'MALLEY VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. DePasquale presented

Bill No. 1267

Report of the Committee on Engineering and Construction for July 30 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1148

A Resolution entitled, "Resolution further amending Resolution No. 319, effective April 10, 1985, as amended by Resolution No. 1081, effective December 4, 1985, as amended by Resolution No. 122, effective February 24, 1986, as amended by Resolution No. 288, effective April 16, 1986, entitled: 'Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants, to perform professional services on various City Facilities on an 'as-needed' basis, in response to the

Capital Budget Program; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$50,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1149

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the Rehabilitation of the Columbus Avenue Bridge and the Demolition of the Allegheny Avenue Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1150

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the Rehabilitation of the Schenley Park Underpass; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1151

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Construction Inspection Services in connection with the Reconstruction of Grant Street, Phase II; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1152

A Resolution entitled, "Resolution amending Resolution No. 815, effective August 23, 1985, entitled: 'Providing for a Contract or Contracts, or use of existing Contracts, for the installation of lighting at Allegheny Commons Park; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$50,000.00."

Which was read.

Also,

Bill No. 1153

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for the construction of the Emergency Medic Station No. 2 at Bausman Street and Saw Mill Run Boulevard; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Wagner:

I'd like to ask Bill Conway, Chairman of the Community Crime Prevention Coalition to please step forward. Bill, will later be introducing other members of the Coalition and members of the public that are participating in this upcoming event.

Mr. President and Members of

Council, it is with great honor that I read Resolution No. 645.

Mr. Wagner presents

No. 1269 WHEREAS, the National Town Watch Association is sponsoring a special, coast-to-coast community crime prevention project on the evening of August 12, 1986 called "National Night Out"; and

WHEREAS, Neighborhood Centers Association, Communities Organized for Public Safety (C.O.P.S.) and Community Crime Prevention Coalition plays an essential role in assisting the Pittsburgh Police through it's cooperative crime prevention efforts in Pittsburgh and is supporting "National Night Out" locally; and

WHEREAS, it is important that all citizens in Pittsburgh be aware of the importance of crime prevention programs and the positive impact that their participation can have on reducing crime in our neighborhoods; and

WHEREAS, neighborhood spirit and cooperation is the theme of the "National Night Out" project and is also the key ingredient in helping the Pittsburgh Police to fight crime;

NOW, THEREFORE, BE IT RESOLVED THAT WE, the Council of the City of Pittsburgh, do hereby call upon all of the citizens of Pittsburgh to join Neighborhood Centers Association, (C.O.P.S.) Communities Organized for Public Safety, Community Crime Prevention Coalition and the National Town Watch Association in supporting and participating in "National Night Out" on August 12, 1986.

FURTHER, LET IT BE RESOLVED THAT WE, THE CITY COUNCIL, do hereby proclaim Tuesday, August 12,

1986 as "National Night Out" in Pittsburgh.

Mr. Wagner moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Wagner:

I'd like to introduce Mr. Bill Conway, Chairman of Community Crime Prevention Coalition. Bill is going to introduce others and say a few words.

Mr. Conway:

Thank you Jack.

We appreciate Council's resolution. Last week the Board of Commissioner's of Allegheny County issued us a proclamation and also last week I received a proclamation from the Mayor's Office, so I guess that we saved the best until last because we're here today for the third resolution.

Tuesday evening August 12, 1986 will be a very special evening throughout our City neighborhoods. Thousands of neighbors will be out doing their part in a national effort to sit out against crime. I have the Chairman of the Coalition since 1980 and this is the third year that our Coalition has organized a national night out in the City of Pittsburgh. It is by far the most successful event that we have undertaken, and that's because this year we've gotten plenty of cooperation. Cooperation from the community groups in the Coalition, cooperation from local law enforcement and cooperation from the private sector.

This year Duquesne Light Company along with 7 Eleven Stores has helped us in doing some special events.

Throughout the City of Pittsburgh there are five roadside billboards which advertise this event compliments of Duquesne Light Company.

We have 200,000 Turner Dairy milk cartons which display the logo of National Night Out, that also is compliments of 7 Eleven. Also, we have signs which describe the event which will be going into the neighborhoods, so that everybody can participate. Again this was compliments of 7 Eleven Stores.

Another special event and something that both 7 Eleven and Duquesne Light are picking up the tab for is a free light bulb give away on August 11, 1986. The day before Night Out we're going to have the City kickoff at the 7 Eleven Store on the North Side at Allegheny and Western Avenue.

Director John Norton has agreed to come to the event and participate in handing out the first free light bulb. We will have an allocation of light bulbs for different community groups throughout the City and I'm looking forward to that event also.

I would like to introduce some of the people who have made this event a successful one here in the City and I'd like to them to come forward.

From local law enforcement we have Commander Theresa Rocco who heads the Community Relations and her department has been very cooperative with us this year. Commander Rocco, would you like to come forward?

And, also from law enforcement is the Vice Chairman of the Community Crime Prevention Coalition and also, Vice President of the Western Pennsylvania Community Crime Prevention Officers Association, Sergeant Carroll Byrne.

Ms. Rocco:

There isn't much more I can add about how wonderful this event is going to be, but I would like to say that I'm very delighted and happy to be participating in it since I have just accepted this new challenge and being a Commander on the Pittsburgh Police Department in charge of Crime Prevention. I feel that this for me is a great participation and I'm looking forward to it and I hope that all of us will do all that we can to make it a success. Thank you.

Sergeant Byrne:

I just want to say it's nice to be back. It's nice to have you recognize this effort again and we hope to get your cooperation again next year because we'll be back. Thank you.

Michelle Madoff:

Can you do it in another month next year?

Sergeant Byrne:

You're not taking a vacation?

Michelle Madoff:

No.

Sergeant Byrne:

Oh gosh, what can we do.

Mr. Conway:

There are also a couple of people I'd like to introduce from Duquesne Light Company, Gerry Schmit. I'd like to give her an opportunity to say something if she would like.

Ms. Schmit:

Thank you, I would just like to say that we are very happy to have this opportunity to participate in what we consider a very worthwhile event, and I think we all hope that the spirit of cooperation in the neighborhood and the awareness that's going to result as a result of this program is going to extend far beyond the date of August 12th. We're very happy to have a part in this, thank you.

Mr. Conway:

We also have the Operations Manager for the 7 Eleven Stores in Western Pennsylvania and Ohio, Ron Aliceson. Ron, sends us his best wishes.

Also, the back bone of our Community Crime Prevention Coalition are the neighborhood groups and I'd like to have some very special people come forward from the neighborhoods.

Loretta Miller from the 30th Ward, Knoxville Block Watch Program. The Knoxville Block Watch Program is one of the premier Crime Prevention Programs in the country. They have really made an impact on their neighborhood. Crime has gone down. I've been up there, I was up there last year on National Night Out and was very impressed with the participation on the streets up Knoxville.

Mrs. Miller:

All I want to say is that National Night Out is important in that it heightens the awareness of communities on how effective a Community Crime Prevention program can be. It's a partnership between the Police Department and the people and it does work. Thank you.

Mr. Conway:

Representing the No. 2 Citizens Police Council in the Hill District is Ms. Josephine Roberts.

Ms. Roberts:

Thank you very much for the pleasure of being here with you. It's been really fun working with the Community Crime Coalition program and I'm sure the Hill District is going to be well represented on Night Out, August 12th from 9:00 to 10:00, thank you.

Mr. Conway:

The Squirrel Hill Urban Coalition is represented by Beatrice Goldszer.

Ms. Goldszer:

Hi, well Squirrel Hill is really determined and on August 12th we're going to shut off the TV's and the air conditioning and we're all going to be out in the streets, and we do have a problem there, and on August 12th we're asking all of you to come out and we're going to have a kick-off at the Rehabilitation Center.

We had a wonderful parade last year and we'll be back in force, and we're asking you to all come and join us and really make the neighbors alert that it's their responsibility to help reduce crime in our neighborhood. Thanks for being cooperative.

Mr. Conway:

Representing the Neighborhood Safety Program which is funded by the City are Terry Baltimore from East Liberty and Cathy Griffin from the North Side.

Ms. Baltimore:

I'd like to thank Council for this opportunity. This is a project that I truly believe in mainly because we have to educate people to let them know that they have to help us fight crime, and this is a really fun and unique way to do it. Thank you.

Mr. Conway:

That concludes our program. Again, on the 11th at 12:00 o'clock over on the North Side at 7 Eleven, Allegheny and Western Avenue we will have our kick-off and you can come and help us hand out our first free light bulb.

In addition on the 12th I would like you to stay in your neighborhood and turn your lights on. Thank you very much.

Mr. Pollock:

Does anyone want to come up who will want to say something after the resolution is passed, if it's passed?

Mr. Pollock presents

No. 1268 WHEREAS, August 6, 1986 is the 41st anniversary of the advent of the nuclear age manifested by the bombing of Hiroshima; and

WHEREAS, August 6, 1986 also marks the date that the Soviet unilateral nuclear test ban expires; and

WHEREAS, on August 6, 1986 over 20 community groups working for peace and prevention of nuclear war are sponsoring "Peace Festival 1986", remembering the bombing of Hiroshima and Nagasaki with a theme of "Our Children - Their Future is Now"; and

WHEREAS, a nuclear war would result in death, injury and disease on a

scale unprecedented in human history; and

WHEREAS, spending for the arms race is contributing to record budget deficits that threaten our nation's economic security while programs providing essential assistance to communities throughout the country are being cut back; and

WHEREAS, a ban on nuclear testing would promote the security of the United States by constraining new developments in the U.S.-Soviet nuclear arms competition and by strengthening efforts to prevent the spread of nuclear weapons to non-nuclear countries; and

WHEREAS, a ban on nuclear testing would be a concrete and easily achievable first step towards a complete halt and deep reductions of ever expanding nuclear arsenals; and

WHEREAS, a ban on nuclear testing can be verified with high confidence by a worldwide network of seismic monitors, satellites and other verification technology operated by the United States and other nations.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh call upon President Reagan to immediately join the Soviets in a mutual and verifiable halt of all nuclear testing as a first step towards freezing and reversing the nuclear arms race.

FURTHER, BE IT RESOLVED THAT the Mayor and the Council of the City of Pittsburgh encourage all Pittsburghers to participate in "Peace Festival 1986" and to pause and reflect upon the meaning of life in the nuclear age.

Mr. Pollock moved to adopt the resolution.

Mr. Givens seconded the motion.

Which motion prevailed.

Mr. Givens:

I've always been in favor of peace Mr. President and Mr. Pollock, however, the resolution is such that I could not accept it. There's a few Whereas's that I disagree with in the resolution itself and I'd like to address myself to that position.

The first two Whereas's where they indicate Hiroshima and Nagasaki as being something that was very destructive and something that this country shouldn't have done.

Historians have so indicated and my own personal review into that particular war in serving in the military forces for a number of years indicated that that particular bombing ended the war and saved more lives including injuries from radiation and everything else than had the allied forces including that of the United States continued in that war.

The estimate would have been several million military people would have been killed let alone the hardship that would have been endured by the people of Japan and those of the people who were suffering back home with the loss of their loved ones and injuries that they would have come home with.

Second, you have a fifth Whereas spendings for the arms race is contributing to the record budget deficit I agree with you on that. I think all of you have to appreciate if you've been reading the local newspapers and etcetera that you can see that we are

behind in the space race that we're in with the Soviet Union primarily that we are definitely in the throwaway capability of what weapons we do have, that is, the missiles themselves and the trajectory of those particular missiles.

All of us have to appreciate what has happened and there's an old saying that many of us have used in the past and I'll use it again, I'd rather be dead than red, and I say that I would rather be dead fighting for our country than wanting to be under the dictatorship of the communist government which is anti-religious and is anti-democratic and anti-everything. I can just think of all the fighting that's happening with the Jewish community. Jewish citizens who are living in Russia today that can't even migrate out of the country. Now, what country would hold citizens back from leaving their own front doors. You must ask yourselves the question of that.

In regards to spreading of the nuclear weapons I think regardless of what Russia and the United States does the other countries and you know which ones I'm talking about, who continue their nuclear explosions and we'll have a hard time curtailing that.

The one thing that discourages me more than anything else on asking the Russians to go into another treaty is that they have violated treaty after treaty after treaty including even the nuclear arms explosions until this country had the know-how to detect any nuclear explosion within the U.S.S.R. Until we had that capability they violated them time and time again.

I noticed here certain Whereas's so indicated that we now have the capability to detect this and we do, but not totally. In other areas of the country and the world we've had unexplained extreme explosions that we can only

assume -- off the Indian Ocean and the South Pacific that we did not determine who, in fact, even set them off.

But, the fact that the President of the United States is in very sensitive arms negotiations with the Russians at this particular time, we have to watch how we try to probe the President of the United States on how that will be taken on a national scene.

We are a major City, and I think that if this Council does approve it we have to prove it knowing that the President is going and undergoing negotiations in this very delicate thing.

I think it behooves all of us and I'm happy that you people are coming down, some of you from the Morton Center, it's within my neighborhood, and are asking the people to be aware and trying to say let's have peace in the world, and nobody wants that peace more than this Councilman, and I join with you in your festivities that you're going to have and ask the people to participate in those activities.

But, keep in mind that the Russian's have turned their faces on us time after time after time. Can we trust them? That's the bottom line. So, in my approving this particular resolution I'm keeping those things in mind that when this message goes out from this Councilman approving this resolution that I'll be able to say that I want our President to go to Russia and be able to deal on a face up basis knowing that he has the support of both peace in this country from the citizens of the City of Pittsburgh as well as to tell the Russian's and give them a message, but if they don't adhere to moot contracts that we might enter into in the way of International Contracts of peace that this country's not going to stand for it. It's just that simple.

I thank you for being here.

Michelle Madoff:

Point of clarification, I do want to point out Mr. Pollock that last year I introduced the same resolution. I think it was members of the church that asked me to do it for them. We were all together on the same issue.

I think your first two Whereas's only state history. They do not state anything about position. They're just giving the time in which the first nuclear bomb was dropped.

Furthermore, your last Now, Therefore, Be It Resolved, you talk about verifiable and we all know that that can be verified, the testing can be verified, and the one that Mr. Givens is taking exception too -- the first two he didn't quite understand I believe they're just documents, but the third one the spending for the arms race -- I think what we're asking for as rational people is that we don't unbalance or use some common sense in the kind of monies we spent for peace as what we spend for human needs.

I think Chernobyl is a perfect example of what everybody said couldn't happen except those of us who said it's not a matter of will it happen, it's just a matter of when will it happen.

Three Mile Island is an example of it can't happen but it happened. I guess my greatest concern is not so much Russia. I think Russia after Chernobyl has had a message, and there's been another town wiped out which they've kept secret, but scientists know about it. My greatest concern is that some cuckoo clock -- some small dictatorship is going to get hold of a nuclear bomb and not be in negotiations, and that worries me almost more than the

Russians do, and I think we really are all concerned about that. That is how third world nuclear wars start with somebody getting hold of a nuclear bomb starting a holocaust, and it won't be the two major powers it will be some little Ayatollah somewhere.

Mr. DePasquale:

One day I was about to land in Japan with about 2 million fellow marines and soldiers on August 6th and I was very grateful to hear that a bomb was dropped that might end the war, in fact, within a week that war was over. They turned those boats back, and we went back to where we came from, and as you all know peace was restored.

I want to go on record as saying even though that bomb ended the war and a lot of us got back home and it seemed like it was going to be forever, and God knows what would have happened if we landed on Japan, but still this weapon probably has turned out to be the worst thing that's ever happened for mankind; and I'll support any effort that might dismantle all the nuclear weapons in this world, and this is what we should strive to do, dismantle every weapon that's out there and throw it right in the ocean.

Ms. Beale:

I'm Carol Beale I'm a member of the Peace Commission of the Episcopal Diocese of Pittsburgh and I would like to read to you from the Peace and Justice Policies that were passed by the General Convention of the Episcopal Church last year.

These policies and I quote from them "during the 20th century we have seen an increasing awareness by the church of it's role in the making of social policy. Today the Episcopal Church

accepts its responsibility for witnessing to the Gospel through an active concern for the life of the world around us. The active social ministry of the church is based upon those policies which are enacted by the General Convention of the church.

They passed many resolutions. I would like to read four which directly apply to the resolution which I thank you very much for passing today.

The first is support and work for a verifiable, bilateral nuclear freeze and the continuation of the SALT II Accord.

Review and revise budgetary plans to reflect peace and justice priorities.

Influence government leaders and the producers of military technology and hardware to examine their moral and social responsibility, and advocate economic conversion of our national resources especially our labor to the production of materials and services needed to enhance life.

Thank you.

Mr. Freeman:

My name is Mike Freeman I'm the President of Three Rivers SANE, which is an organization which now has 1,100 members within the City of Pittsburgh, and with the nuclear freeze campaign positions for social responsibility and numerous other groups such as the 20 or more groups we have participating in this Hiroshima celebration have been conducting a nationwide petition campaign and passage of resolutions of this type over the past two years.

First of which occurred around the November summit last year which we had a similar resolution passed with the wording which you see next to me. Since

that time a new campaign has been initiated in accord with Secretary Gorbachev's new initiative to halt nuclear testing until August 6th and thus far over 150 municipal governments and 4 State Legislatures have passed resolutions of this type.

We commend you on passing this resolution. We will be announcing it publicly in Market Square at the beginning of the vigil for our Hiroshima Day, Wednesday, August 6th at 11:30 and we invite all City Council Members the Mayor and all other City Officials to attend to meet with the press where we will announce that at 11:30 on Wednesday, thank you.

Mr. Barner:

I'm Tim Barner from the World Federal Association which is a membership group associated with 12 of these organizations that Mike mentioned the Pittsburgh Coalition to Prevent Nuclear War. I have a flyer describing the Wednesday event that Mike just mentioned that I'd like to pass to each of you and add my thanks and the invitation for you to attend on Wednesday at 11:30 or later if possible; and I wanted to compliment the Councilman on his early remarks on desiring the halt and the testing and the production of nuclear weapons be made world wide, and there are those organizations working to make this something that is world wide and not just one nation or two nations pointing a finger at each other.

So, thank you again for the passage of the resolution today.

Mr. Thomas:

My name is Jeff Thomas and I'm a Research Director with the Jobs with Peace Campaign and I am also a Research Specialist with the Urban

League of Pittsburgh Housing Counseling.

I just want to very briefly commend you for passing the test band resolution but also to convey to you that to work diligently for the elimination of nuclear weapons is not anything that is unpatriotic, if anything what you are doing is you are guaranteeing your loved ones and their generations thereafter an opportunity to partake in some of the good old American spirit that we all know, love and enjoy.

I think that's an excellent trade off, and I think that's the trade off that must be pursued, and I think it's a trade off that if pursued properly it would not only send a message to Russia that we are, in fact, the citadel for freedom and democracy. Thank you.

Ms. Rothermel:

My name is Joyce Rothermel. I'm Weekend Coordinator at the Jubilee Soup Kitchen and work very much with the Hunger Action Coalition and the Greater Pittsburgh Community Food Bank. I can tell you after the seven years I've had in experience with these organizations that it's an economic imperative on the part of not only the poor people in this country, but the poor people in the nations throughout the world that actions like this be taken.

To read headlines that read one of four children in the Commonwealth of Pennsylvania are living and being born into poverty is a startling statistic and things have to turn around some time, so thank you for taking your step today.

Mr. Pollock:

I just wanted to especially thank Jeep. Once again, he has said few words but I think they were the most

meaningful ones said today and they especially touched me, and anyone who wants a copy of this resolution with a gold seal please leave your name and address at the desk and I'll make sure you get one. Thank you.

Mr. Wagner presents

No. 1270 WHEREAS, the People and the Government of the City of Pittsburgh are deeply committed to the best possible health care for persons of all ages especially the children of our community; and

WHEREAS, the Allegheny County Firefighters Association, Pittsburgh Bureau of Fire, West Penn Hospital, Cameron Coca-Cola and Alcoa plan to combine forces to make August, 1986, "Aluminum Cans for Burned Children Month," a local firefighters' charitable can recycling program; and

WHEREAS, consumers throughout the county are being asked to take their used aluminum cans to any firehouse or drop them into marked containers which will be collected by firefighters who will deliver them to an Alcoa recycling center, and Alcoa then will remit the value of the cans to the West Penn Hospital Burn Unit; and

WHEREAS, recycling activities during August will involve the Three Rivers Regatta, a pre-season Steeler game, a Hartwood Acres Concert, the KDKA Picnic Patrol, Domino's Pizza and 70 Foodland supermarkets and other ambitious programs to increase fund-raising;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby commend the Allegheny County Firefighters Association, Pittsburgh Bureau of Fire, West Penn Hospital,

Cameron Coca-Cola, Alcoa and all others committed to this worthy endeavor to help burned children, and as we proudly proclaim August "Aluminum Cans for Burned Children Month," we share the gratitude of our citizens for these generous and compassionate persons, groups and firms of this, the nation's most livable city, for they were touched and they responded.

Mr. Wagner moved to adopt the resolution.

Mr. Pollock seconded the motion.

Which motion prevailed.

Mr. Wagner:

Mr. President, just for the sake of public information I'd just to reinforce that the Pittsburgh Firefighters have taken on the task of collecting cans in the month of August and we would ask the public to please collect those aluminum cans and drop them off to your local firehall. It will help children that have been burned. Thank you.

Mr. Wagner presents

Bill No. 1271 WHEREAS, on Tuesday, July 15, 1986, City Council held a public hearing regarding the school-based health clinics recommended by the Task Force on Adolescent Pregnancy and Parenting appointed by the Pittsburgh Board of Public Education; and

WHEREAS, the overwhelming majority of those that testified, as well as the force of their argument, demonstrated that Pittsburghers do not support the institution of such clinics, particularly if used for the counseling and distribution of contraceptives to teenagers without parental knowledge or consent; and

WHEREAS, the nation's Secretary of Education, William Bennett, visited Pittsburgh recently and rejected the idea of dispensing contraceptives in public schools as a way to prevent teenage pregnancy; and

WHEREAS, recent newspaper editorials in the Pittsburgh Press, Pittsburgh Post-Gazette, and the Pittsburgh Courier have also argued against school-based health clinics, consistent with Pittsburgh's unique ethnic, traditional, and religious heritage;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh, does hereby oppose the idea and institution of school-based health clinics in the Pittsburgh Public School System and urges the Pittsburgh Board of Education to abide by the Minority Report which addressed several points of difference with the Task Force's recommendations.

Mr. Wagner moved the adopt the resolution.

Mr. Givens seconded the motion.

Michelle Madoff:

My understanding from what I have heard from the Board Education is that a school based health clinic program was going to go to operation, and they were not going to include contraceptive information, and I have no problem with the school based health clinic. I would hate to kill the goose that lays the egg just because we object to one portion of it.

Mr. Pollock:

I would concur with Ms. Madoff's thoughts, and whether or not they have

resolved the issue of the dispensement of contraceptives or not I would oppose this resolution.

In addition, I would like to point out that Secretary of Education, William Bennett is certainly no friend of the students of America because it's the same individual who wants to eliminate school loan program for students, and I for one went to college and Law School on the school program so William Bennett is no friend of the students of America.

Mr. Wagner:

Mr. President, I'd just like to say this was the purpose of a public hearing a couple of weeks ago, at that time and at this time today there has been official determination as to whether or not this will occur within the School Board and I would request from the City Clerk that if this resolution passes that it be sent to all members of the School Board and the Superintendent of Pittsburgh Schools.

Mr. DePasquale:

I want to get something straight I'm on record -- I usually oppose the editorial sections of all of our newspapers, and my understanding is that the editorial sections oppose these clinics and people wrote in?

Mr. Wagner:

I don't have the editorials in front of me but I know they are opposed --

Mr. DePasquale:

The newspapers are stating they are backing the health clinics. The editorial sections of the newspapers backed the health clinics. You're talking about people who wrote in who disagree; is that what you're talking about?

Mr. Wagner:

They are opposed to the concept in schools and that the City of Pittsburgh be used as an experimental school system for this purpose.

Mrs. Masloff:

Who is?

Mr. Wagner:

The local newspapers are.

Mr. DePasquale:

I just don't want to break my record and go along with the newspapers.

Michelle Madoff:

You wouldn't want to break your record. You abstained the other day on your relative but you voted for him today.

The point I'd like to make to this Council is that we ought to have education. The whole secret is education starting at probably when the child can first comprehend in very simple terms, on a fourth grade level. Children should start to learn about having respect for themselves for their bodies for society; and unfortunately we have a terrible situation in this world particularly in this country with the rights of passage. Particularly for minorities is to have an illegitimate child, and I don't know that having preventive mechanisms like contraceptives is going to stop those rights of passage. It becomes a matter of education, and I'd like to see all those people who are working so hard to prevent contraceptives from going into the schools to let the situation continue as it is start to put their energies and time into educating the children and there are classes in which this has been

done that have been very, very effective. Schools where children are taught early on that they are people, they can say no, they can respect themselves, and that has been a very effective tool.

On the other hand I would hate to see health clinics shut down where children who have working parents or latch key children need some medical help aside from the pregnancy problem and not have that available to them.

We're mixing apples and oranges in this particular resolution. I'd like to see two separate resolutions. One, if you want to eliminate the contraceptives but certainly not eliminate the health clinics, and I'd also like to have an inclusion of education.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 7

NOES 1

(MR. POLLOCK VOTING NO)

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

The Chair presents

No. 1272 WHEREAS, on Monday, August 11, 1986 the Kappa Alpha Psi Fraternity will extend the Elder Watson Diggs Award to George N. Charlton, Jr. in behalf of his many worthwhile civic and community service contributions.

AND, Mr. Charlton is an outstanding individual whose commitment and dedication to local issues extend far beyond his role as Executive Director of the Pittsburgh Public Parking Authority.

FURTHERMORE, the City of Pittsburgh would like to extend its congratulations to the Kappa Alpha Psi Fraternity in recognition of its 75 years of service in its efforts to unite college men of culture, patriotism and honor in a bond of common fraternalism.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh extend its sincere congratulations to Mr. Charlton, and further, wish success and growth to the Kappa Alpha Psi Fraternity in future years.

Mr. O'Malley moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Wagner:

Mr. President and Members of Council, I'd like to make a motion to televise the public hearing which occurs this Thursday at 10:30 A.M.

The Chair:

There's no need to make that motion since I've included the recessed hearing in with these other three so it will be televised.

Mr. Wagner:

Thank you.

Michelle Madoff:

On another issue Mr. President. With what is happening with the unrest in our community between comprehension, miscomprehension, what will be, what will not be, with the closing down of the police stations, and the fact that this Council and I've stated publicly the minority of us are between a hard place and a rock. If we vote to keep the police stations open they're not going to open anyway, and any action that we take is a delaying mechanism, and so my position has been and I've stated publicly what will be will be, because everytime I complain and I have a letter here before today somebody wrote in to say please do not support the closing of the police stations because we have more crimes than ever and I'm hearing this from the police and I'm hearing it from our constituents.

Everytime I raise that issue to the Police Department what I'm told is "well let us put our plan in operation and once we have the plan in operation all these problems will go away like magic." We'll wave a magic wand. All of us would be delighted if that were true and if that were possible.

I think my responsibility to the community is going to be -- since there's no way we're going to stop whatever's to be will be the Administration has the priority to implement any plan it wishes and it looks like it's after the fact no

matter what happens this Thursday.

My position is that I am personally going to monitor what is going on in communities where I hear there are 24 more crimes the police can't cover, and when I hear various happenings in the Police Department I plan to get out in the police cars.

Furthermore, there are many times that I get called in the middle of the night to go look at a water break. I sometimes am very close to a great big hole in the ground where you've got a major leak and the ground is wet and slippery, and I'm sure that many of my colleagues, I know for a fact that there are many colleagues, who go out into the community to look at problems.

I want to remind my colleagues that we carry absolutely no personal liability insurance. We are not covered by Workmen's Compensation. We found that out inadvertently when I dislocated my elbow.

Mr. Pollock:

I think you mean disability not liability.

Michelle Madoff:

Thank you, Mr. Pollock, disability.

But, there is also our liability. We're liable for ourselves. There is no disability insurance. That means that if any member of this Council were in the performance of our duty to be injured we would receive our salary until the next election. At that point we'd probably or might possibly not be in a position physically to run again.

The best example I can give you is that when some nut walked into San Francisco and shot an elected official

and killed him. He was probably better off than Governor Wallace who is sitting in a wheel chair. Unless you have private means and private sources. There is no way that I know of from the members that I know on this Council that have that kind of financial backing. That should any of us be severely hurt in a wheel chair that we would be covered, and I would strongly suggest because I'm going to take a private policy, but I should suggest that all of us take a joint policy.

There is a movement in the Legislature, I've had all kinds of correspondence to look into taking some policy for all of the State Legislators. But, unfortunately as we're all aware many many State Legislators use their role as state officials as secondary jobs to enhance their primary job, and that they are insured for disability through initial employment. That means that unless somebody on this Council has another job in which they're covered they don't have insurance.

I'm almost sure from canvassing my colleagues today that all of us going naked, that means that none of us have Workmen's Compensation protection if we are paralyzed or we are hurt beyond being able to work and must be in a wheel chair, and I'm telling you that I will immediately go out and get some kind of — I've been pricing it and it's outrageous on a one to one basis. It's almost impossible to afford and I'd like to ask the President of Council to take it up with the Administration, because we have to have some kind of policy. I'm going to take a binder because I plan when the new system is in place to go out and ride the police cars. It's a very hazardous job. If I should be shot at in the line of duty I want to be protected and covered. I think it's my responsibility to go out and find out whether what I'm hearing is true. Whether there are police

calls coming in that are not being answered, and I'm placing myself in great jeopardy.

Many of us have families. Mr. DePasquale has a family, he has children, children who count on him. Mr. O'Malley has a young child. Mr. Pollock may get married shortly. Mr. Wagner has a wife. I don't think that it is a responsible burden to put on those of us to keep us from doing less than our best job, because we're afraid we might get hurt, and I said maybe it was a blessing that dislocated my elbow because we would never have learned that everybody in the City is covered under Workmen's Compensation except elected officials; and I would like to proceed to see what solutions we can achieve and I would make that in the form of a motion, that our President of Council confer with the Administration to see what can be done.

The Chair:

You don't have to put that in the form of motion.

Michelle Madoff:

But, also I believe that he will probably have no luck because I believe it's state mandated. We may have to do that through the state but to follow through to see what is happening. I think it's a very serious situation and I'd like to know if any of my colleagues would care to comment on it.

Mr. Pollock:

I don't know, Michelle are you trying to say that in the event one of us became permanently disabled during a term you would like to see a policy that would cover us further than the length of the one term to which we are elected. Which I think might be difficult to accomplish, because you're not

guaranteed —

Michelle Madoff:

Hold on, hold on, we are now covered which is ludicrous, it's inane. We are covered under Workmen's Compensation for non-work related. The City got a policy that went out to all employees and we were asked whether we'd like to take advantage of it and write one check. We all signed it, of course we'd take advantage of it.

So, if I'm out socially and I'm going out dancing at Chauncey's and boogying and I get hurt I'm covered for the rest of my life, but if I'm hurt in the line of duty I get absolutely nothing, and that means you too.

Now, that means that people who've worked for the City as employees who might have been fired who may have worked for a member of Council and the Council person wasn't re-elected they are covered for life under Workmen's Compensation.

If we're hurt in the line of duty we have no compensation and I think that has to be rectified because that may keep us from doing a better job and at the very least the nine of us ought to get together and take a policy which would be — and there's the Mayor that's ten, and there's the Controller that's eleven, and maybe we can get the county to come in with us. It certainly is cheaper than one person buying it themselves. I've priced it for one person and it's like unbelievable.

Mr. Pollock:

It's very expensive.

Michelle Madoff:

It is very expensive and I think that

we owe to our loved ones to have that kind of protection.

What do you think, Mr. O'Malley, do you agree? I would like to have a consensus by vote of how this Council feels on my motion. Would somebody second it so we can get a consensus?

The Chair:

It's not a motion.

Michelle Madoff:

I made it as a motion.

The Chair:

I said you don't have to make a motion. I will go talk to the Mayor to see if there's —

Michelle Madoff:

Well, may I make a motion that we get a consensus of the feelings of this Council on my position? I have a second from Mr. Pollock.

Mr. Pollock seconded the motion.

The Chair:

The motion is that we're concerned that we should have compensation passed our term of office.

Michelle Madoff:

Like every other City employee. Nothing special, nothing more, and nothing less.

I don't think it's funny Mr. Woods. Because, if it happened to you you wouldn't be laughing. If you were Governor Wallace in a wheel chair today you would not be laughing.

Mr. Woods:

Michelle, please. Mr. Grabowski has the floor.

Michelle Madoff:

But, you're laughing.

The Chair:

I'm allowed to smile and do what I wish.

Mr. Grabowski:

Mr. President, I think that we have to keep in mind here that not only us as elected officials but all elected officials it's sort of a special breed of a person the job has certain advantages that are not afforded to regular 40 hour a week compensated employees. I accepted this job the way it was, you know, if I get hurt doing the course of my duties so be it. I chose to run for Council and accepted the office and I don't feel that I'm entitled to anything more. You know, if I happen to get hurt and I'm unable to run again for a second term well I accept that responsibility, but I'm really not interested in any type of compensation for that. That's my own personal belief.

Mr. Depasquale:

Mr. President, I sympathize with Michelle but as for what Steve said if one of us were to be hurt and never served another day until our term ended we would be paid.

Michelle Madoff:

No you would not.

The Chair:

Yes we would.

Mr. DePasquale:

Yes you would.

Michelle Madoff:

You'd only be paid until the end of your term.

The Chair:

That's what he said.

Mr. Depasquale:

You would get paid for the duration of your term. If you never served another day in Council you'd be paid if you were sick and couldn't come in.

Michelle Madoff:

For how long?

Mr. Depasquale:

The duration of your term.

Michelle Madoff:

Which might be a week or a month or four years.

Mr. Depasquale:

Steve said that we have that privilege where other employees don't. However, if someone got hurt and was disabled obviously they could sue the City and collect some money.

You have that right now. The law is passed where it wouldn't help you any Michelle, because you're covered if you get hurt between now and the end of your term.

Michelle Madoff:

Perhaps I'm not making myself clear. I'm saying that as an individual it is very costly to buy that insurance.

Mr. DePasquale:

I don't understand. I'm going along with the resolution I'm just saying that it's really moot.

Michelle Madoff:

I'm saying that those who wished to be covered so that we don't back off of dangerous situations. We should get together. I'm not talking about someone paying for it for me. I'm very happy to pay for it for myself. But, I don't want to have to pay for it on a single policy as opposed to a group policy because it is very very expensive.

I'm not asking the citizens to pay for it for me. I'm asking that we buy it as a group because I think we should have it. I think it enhances our ability and feelings about perhaps taking greater risks.

The Chair:

I have a suggestion, all of those who want to get together with Ms. Madoff and get a group policy would you please get a hold of Ms. Madoff and do that.

Mr. Wagner:

Mr. President, I'd just like to state publicly the day after the Three Rivers Regatta was over that it probably was the best in its history, and I'd like to compliment the Three Rivers Regatta Corporation, all the people involved, the various City Departments that participated, and the people that came because it was run so well and it was an

excellent event that reflected what Pittsburgh's all about.

Mr. Pollock:

I think Jack should be complimented too because he was the Chairperson of the parade which I understand was the first evening parade in the City of Pittsburgh and it was very enjoyable and he's to be congratulated because I know he put a lot time in on it.

Mr. O'Malley moved to recess this meeting and meet again Wednesday, August 6, 1986 immediately following the Standing Committee of Council.

Mrs. Masloff seconded the motion.

Which motion prevailed.

And Council recessed.

Pittsburgh, Pa.

Wednesday, August 6, 1986

And the hour of 11:00 o'clock, A.M., having arrived and the time of recess having expired, Council reconvened.

Mr. O'Malley presented

Bill No. 1273

Report of the Committee on Finance for August 6, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1214

A Resolution entitled, "Resolution increasing the bonded indebtedness of the City of Pittsburgh in the aggregate amount not to exceed \$200 million of refunding bonds for 1986."

Which was read.

Mr. Grabowski:

Mr. President, I have to oppose this bill for the reasons I stated before, but on this particular issue Mr. Schmeiser tried to make a good point that the underwriter Merrill Lynch was not going to do this at any fee to the City at least at this point, and I analyzed his statements, in fact, it was the only time I ever videotaped part of a Council meeting because I wanted to be sure what Mr. Schmeiser was saying and I analyzed it, and I've come to the conclusion that the Pittsburgh firms could do the same and probably could do a better job.

Again, I don't oppose the concept of going out on bonds but I oppose the idea that the lead underwriter is from out of town and out of state, and I oppose this legislation for that reason.

Mr. Pollock:

Steve, is that your opinion or do you have that confirmed with the local underwriters?

Mr. Grabowski:

I've had it confirmed.

Mr. Givens:

Mr. President, I feel the same way Steve does on this particular issue and I hope it doesn't snowball but I mean there has to be Pittsburgh based people doing

our work here. It's our taxpayers paying that money and hopefully from hereon out we'll have people from the City of Pittsburgh selling our own bonds. So, when we talk about sizable almost \$6 million if you take that \$1.25 times the \$200 million times another \$200 million that we're refinancing and we're talking right under the \$6 million figure of monies that could have stayed right within our community that are now going to other underwriters and that's an awful exodus of money. We need every penny that we can keep right here in the City of Pittsburgh and major banking institutions and others here have that prerogative and have that capability, and hopefully we can keep some of that action right here in the City of Pittsburgh.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mrs. Masloff	Mr. Wagner
Mr. O'Malley	Mr. Woods
	(Pres't)

AYES 6 NOES 2

(MR. GIVENS & MR. GRABOWSKI
VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Malley moved to adjourn this meeting and meet again Monday, August 11, 1986 at 10:00 o'clock, A.M.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Monday, August 11, 1986

No. 32

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, August 11, 1986

PRESENT:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

ABSENT:

Mr. Givens
Michelle Madoff

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1274

Report of the Committee on Finance for August 6, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1188

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Trumbull Corporation (Perry J. Dick, President) in the amount of \$913.79 in payment of Extra Work, being in addition to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street, Phase I; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1203

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Authorized Factory Service Inc. in the amount of \$604.00 in payment for repairs to Hobart food chopping machine, furnished for the benefit of the City without previous authority of law, chargeable to and payable from Code Account ATF (Aviary Trust Fund), Index

Code 250209, Administration, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1204

A Resolution entitled, "Resolution transferring the amount of \$20,000.00 to Code Account 1851-1, Premium Pay, from Code Account 1850, Salaries, Regular Employees, all within the Pittsburgh Zoo. (CA 1850 - Index Code 185009; CA 1851-1 - Index Code 185116)."

Which was read.

Also,

Bill No. 1205

A Resolution entitled, "Resolution authorizing the transfer of funds from

Code Account 1857, Index Code 185702, Animal Provisions, the amount of \$12,000.00 to Code Account 1852, Index Code 185207, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1216

A Resolution entitled, "Resolution providing for the issuance of a warrant to John R. Belashek and Debra Belashek, his wife, in the amount of \$1,735.00 in full settlement of claim for personal injury, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1218

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contracts for the furnishing, delivery and installation of a filing system in the Department of Law and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1219

A Resolution entitled, "Resolution amending Resolution No. 1230, Item H, approved December 27, 1985, which authorized the sale of property in the 18th Ward, being vacant land, located at 205 Saw Mill Run Boulevard, designated as Block 34-C, Lot 71, to McGann & Chester Towing & Repair for the sum of \$10,000.00."

Which was read.

Also,

Bill No. 1220

A Resolution entitled, "Resolution amending Resolution No. 36, Items B, K and M, approved February 4, 1986, which authorized the sale of properties."

Which was read.

Also,

Bill No. 1221

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of property or properties acquired at tax sales in accordance with Act No. 171 of 1984, effective December 11, 1984."

Which was read.

Bill No. 1233

A Resolution entitled, "Resolution transferring the sum of Forty-Thousand Dollars (\$40,000.00) from Code Account 41, Refunds-Real Estate Tax, Index Code 004101 in the Department of Finance to Code Account 1452-2, Legal Defense Contribution Fund, Index Code 145227, Bureau of Police, Department of Public Safety."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. DePasquale for Mr. Givens presented

Bill No. 1275

Report of the Committee on Public Works for August 6, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1199

A Resolution entitled, "Resolution amending Resolution No. 94, effective February 17, 1986, entitled: 'Resolution providing for a Contract or Contracts, or the use of existing Contracts, authorizing the resurfacing of various City Streets and Park Roads with bituminous materials, including asphalt milling, planing, regrading, recurbing, and other work incidental thereto, and providing for the payment of the costs thereof,' by increasing the total project allocation by \$400,000.00."

Which was read.

Also,

Bill No. 1200

A Resolution entitled, "Resolution

amending the 1986 Capital Budget to increase authorization for Signals at Various Intersections."

Which was read.

Also,

Bill No. 1249

A Resolution entitled, "Resolution vacating Bryn Mawr Road from Ossipee Street to Herron Avenue in the 5th Ward, City of Pittsburgh. Subject to all utilities and easements existing on Bryn Mawr Road."

Which was read.

Also,

Bill No. 1250

A Resolution entitled, "Resolution granting unto David O'Brien, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a Fence and Driveway in a portion of the right of Way at Wellesley Avenue in the 11th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1251

A Resolution entitled, "Resolution granting unto Duquesne Light Company, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Sidewalk Vault on a portion of the sidewalk of Bouquet Street in the 4th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1252

A Resolution entitled, "Resolution granting unto Allegheny General Hospital, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an easement for a pedestrian tunnel in a portion of the sidewalk and street of Hemlock Street in the 22nd and 25th Wards of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1253

A Resolution entitled, "Resolution granting unto Eye and Ear Institute of Pittsburgh, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a pedestrian bridge over a portion of the right-of-way of Lothrop Street in the 4th Ward of the City of Pittsburgh.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7	NOES none
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 1276

Report of the Committee on Planning, Housing and Development for August 6, 1986 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 995

An Ordinance, "Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 16, by changing: From "M3" Light Industrial District to "R2-T" Townhouse Residence District certain property bounded by: SUSQUEHANNA STREET; NOVELTY STREET; Lots No'd. 63, 73, 78 and 89, Block 125-S in the Allegheny County Block and Lot System; NORTH LANG AVENUE; Lot No. 119, Block 125-S in the aforesaid System; Lot No. 270, Block 125-R in the aforesaid System, Lot No. 130, Block 125-S in the aforesaid System; SUSQUEHANNA STREET and NORTH MURLAND AVENUE, 12th and 13th Wards."

Which was read.

Also,

Bill No. 1225

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of

Pittsburgh owned by Sandra L. Carroll and designated as Block and Lot 23D-106 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1226

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 16th Ward of the City of Pittsburgh owned by Emma R. Wagner and designated as Block and Lot 32B-314 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1227

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 9th Ward of the City of Pittsburgh owned by Ellis Eschman & Mary Eschman, husband and wife and designated as Block and Lot 49G-319 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1228

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 6th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot Nos: 48S-258, 49N-114, 49N-117, 49N-128 under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1229

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 6th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot Nos: 25D-88, 25D-89, 25D-90, 25D-92, 25D-104, 25D-107, 48S-202, 48S-216, 48S-217, & 48S-218 under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1230

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Eugene A. Rogers for the sale of Block 23-F Lot 336 in the 25th Ward of the City of Pittsburgh (RESALE FOR REHABILITATION)."

Which was read.

Also,

Bill No. 1231

A Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of the various properties in the City of Pittsburgh (SIDEYARDS)."

Which was read.

Also,

Bill No. 1255

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the transfer of funds for site improvements for housing development in Homewood."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of

Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 1277

Report of the Committee on Parks and Recreation for August 6, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1189

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the South Side Community Council, for professional services relative to the South Side Merchants Baseball Team at a cost not to exceed \$1,500.00, and transferring the sum of \$1,500.00 from Code Account 10, Accounts Payable Prior Years to Code Account No. 1838, Miscellaneous Services, Department of Parks and Recreation."

—(SPONSORED BY MR. DEPASQUALE)

Which was read.

Also,

Bill No. 1206

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Ernest T. Williams Center for professional services in connection with the East End Raiders Football Team at a cost not to exceed \$2,000.00, and transferring the sum of \$2,000.00 from Code Account 10, Accounts Payable Prior Years to Code Account No. 1838, Miscellaneous

Services, Department of Parks and Recreation."

—(SPONSORED BY MRS. MASLOFF)

Which was read.

Also,

Bill No. 1207

A Resolution entitled, "Resolution providing for authorization to enter into an Agreement or Agreements with various contractors for professional services in conjunction with the Department of Parks and Recreation, Special Events and Cultural Affairs 1986 Great Race/Finish Line Services at a cost not to exceed Nineteen Thousand Six Hundred and Five Dollars (\$19,605.00) from the Special Parks Program Trust Fund, Index Code 254359, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1234

A Resolution entitled, "Resolution amending Resolution No. 488, effective June 10, 1986, entitled: 'Providing for an Agreement or Agreements with the South Side Sooners Youth Football Program for professional services for 1986 at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1838, Miscellaneous Services, (Index Code 183806), Department of Parks and Recreation, and transferring \$2,000.00 from Code Account 10, Accounts Payable Prior Years (Index Code 001008) to Code Account 1838, Miscellaneous Services (Index Code 183806),' by including South Side Community Council as the service provider." —(SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mrs. Masloff	Mr. Wagner
Mr. O'Malley	Mr. Woods (Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 1278

Report of the Committee on Public Safety for August 6, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 1137

A Resolution entitled, "Resolution authorizing and directing the Council of the City of Pittsburgh to conduct a formal investigation of the Public Safety Department and the Bureau of Police in accordance with Section 312 of the Home Rule Charter." —(SPONSORED

BY MR. WAGNER)

Which was read.

Mr. Wagner:

Mr. President and Members of Council, in regard to 1137 an amendment was passed out Friday I don't know if you have it in front of you. I'd like to make a motion on a couple of amendments on that bill as I indicated I would do last Wednesday. Motion to amend Bill No. 1137, Section 2 by deleting the words, "but not be limited to".

Mr. Grabowski seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Mrs. Masloff	Mr. Wagner

AYES 6 NOES 1

(MR. WOODS VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

Mr. Wagner:

The other amendment Mr. President is motion to amend Bill No. 1137, Section 2, Item B, by adding the words "including the Police Consulting Study".

Mr. Pollock seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Pollock	Mr. Wagner
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AYES 2 NOES 5

VOTING NO:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Woods
Mrs. Masloff	(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

That amendment fails. Is there another one?

Mr. Wagner:

One out of two isn't too bad.

The Chair:

It's not over yet.

Mr. Wagner:

On the bill Mr. President. This bill has been discussed at great length. Formerly at a Council meeting week and a half ago you requested from the Director, Mr. Norton that a response be given the five items the bill, and that the

response was received by this Council this past Friday afternoon. I have sent over another copy of it in case you don't have it available with you.

I'd like to take a moment to read the response and it's very important I feel that this response be made public and it's a letter directed to the President of Council, Mr. Woods from Mr. Norton dated August 8, 1986 - Investigation of Police Bureau.

As you have requested, enclosed is a brief response to each inquiry that Councilman Wagner has voiced regarding the investigation of the Police Bureau, Department of Public Safety. I have addressed and answered each of these questions repeatedly in the past. If additional responses are needed, I will provide the necessary information.

I don't now why that necessary information was not provided right in this letter if there is available information. Getting to the responses, and the first item requested in the investigation was: The Creation of job titles that do not exist in the 1986 budget.

The response by the Director is: The Department of Public Safety has not created any new titles or positions for the five Bureaus which comprise the Department. All positions and titles that have been authorized in the 1986 budget are in compliance with Personnel and Civil Service regulations and policies. Some of the positions in question in the Police Bureau have been filled through as needed positions which is authorized by the budget. As needed positions have been placed in the budget to assist the Police Bureau in its reorganization efforts during the 1986 calendar year. The titles of Commander and Assistance Chief are official and no variations are in effect.

I'd like to take a moment - the other item that I passed out to each one of you is a copy of the budget and the page for the Assistance Chief and Commander positions. It's very clear to me and looking at that budget that the only Commander position in there is a Precinct Commander.

However, the Director has chosen to fill positions such as, titled: Perpetrator of Crime Commander, a Watch Commander, Night Commander, Task Force Commander of Narcotics, I could go on and on and on. I still have not found any of those titles in the budget. No matter how many positions there are in any department in this City especially at a high salary position and both of the positions that we're talking about are Assistance Chief positions and Commander positions at \$37,500 and \$42,500.

We in this Council have only one position that's within the City Clerk's Office that is of that magnitude in salary and we clearly identify that. We clearly identify for Council's staff every position by title in the budget. All the other departments do it also. Now, what the Director is saying is that he can in essence create positions and we've asked him to justify that in the budget and he has not justified it, and that's clearly indicated by the copy of the budget that I have passed out to all of you. That's one item out of five.

The second item is, the lack of information precipitating administrative changes. The Director's response is: All administrative changes in the Police Bureau have been presented to and authorized by Mayor Caliguiri. Any information necessary to justify the changes would be disseminated through the Mayor's Office which has always been the practice of the Caliguiri Administration. The Department of

Public Safety will adhere to this practice.

Well, the practice basically is a news release and whether or not that news release comes to this Council is determined I guess by the Administration or whether or not we can obtain a copy of the news release from the news media. That in addition to this one paragraph this one paragraph that I just read is all the information that this Council has received in terms of justification of the various changes within the Public Safety Department of the Police Bureau. Let me repeat that that is all the information this Council has received.

True, there has been dialogue at that table but there has been no factual information presented to this Council. The item of greatest controversy has been the five zone concept in terms of Administrative changes. That's the reason why I believe the consultant study is so important and have always thought the consultant study was so important as a matter of fact, at last weeks meeting the Director indicated at the public hearing that took place here that the rough draft was sitting on this desk and we asked for a copy of that rough draft. There still has been no copy provided to this Council because there is no rough draft. There is no consultant study even though we allocated \$90,000, and I've continually requested it. We have done it officially here by this body, I have done it in writing, I have done it numerous times with phone calls. This is all the information that this Council has received. I think that is so important especially when you're talking about massive changes within the Police Bureau such as going from nine precincts to five zones and we've had hundreds of people into this Council at a post agenda and at a public hearing simply asking for information.

As a matter of fact, last week at our public hearing we had two people testify that gave us some fantastic data that they have analyzed in terms of the proposed changes. Data comparing Pittsburgh to other cities and the data is, I have to believe is accurate and is in conflict with what the Administration has said the City of Pittsburgh needs. I indicated numerous times that in all the news releases put out on the five zone concept they have deliberately excluded the City of San Francisco because the City of San Francisco is the only city that compares well with the City of Pittsburgh, geographically and from a topographical point of view. Ironically, Director Norton is from San Francisco. He worked in that police department, and Director Norton knows the City of San Francisco quite well. However, that City was deliberately excluded in the comparison data. Why was it excluded? Because if you compare the City of Pittsburgh with San Francisco, the nine precinct concept is the right way to go, not cutting it back to five zones. Therefore, comparison with that city rather than Tuscon, Arizona and Phoenix and St. Louis which are level flat cities, if we compared our hilly terrain, tough terrain with the City of San Francisco, they could not justify the five zone concept.

That's part of the information that I have requested behind these Administrative changes. Still to this date we have no justification. Still as of this date, we have had newspaper articles saying we're going to lose 176 officers. We have members of the public providing us with more information at public hearings than we're receiving from the Administration. Is that cause, is that justification for investigation and solicitation of information? I believe yes. I believe the consultant study alone is justification behind it.

Number C that is requested; the unexplained demotions and transfers. The Director responds in writing and, Mr. President, I am really happy you asked for this response because there is nothing that has proved this point more than this response that has been provided to this Council. Transfer of assignments within the Police Bureau is routine and all transfers are associated with providing a better delivery of police service. Civil Service guidelines and FOP contract dictate policies and procedures in regard to transfers. The Department of Public Safety is in compliance with all stipulations. Furthermore, there have been no demotions of police officers.

Well, I should bring everyone up to date because right now, at this very moment, there is a Personnel Appeals Board hearing going on on the third floor of this building. The purpose of the Personnel Appeals Board hearing is the unwarranted transfers and demotions of various detectives within the Police Bureau.

I just found out and I have a note that was just provided to me ten minutes ago that many people from the Administration were subpoenaed by the Personnel Appeals Board to that hearing, Director Norton and many people within his staff within the Police Bureau. It was said at the hearing that Director Norton put out an order that no one will appear at that hearing, even though those people have been subpoenaed to that hearing. He has come out and has said publicly, and has obviously done it, has ignored the Charter of this City, the powers that this Charter gives to the Personnel Appeals Board which this Council has an appointee of one of the three people to that Personnel Appeals Board, Dr. Martin Krauss.

The purpose, obviously, of the hearing is to talk about the unwarranted

transfers and demotions, and it is stated right here: "Furthermore, there have been no demotions of police officers." Well, if Chester Howard was not a demotion, I don't know what was. He was an Assistant Chief and now he's a Commander. That's an out and out blatant error of information. If Inspector McDaniel was not demoted and then promoted, I don't know what that was. And then we saw how many people testified in front of this Council at a public hearing that they lost dollars, they lost salary due to their transfer. We have taking place in September, when the five zone concept goes into effect, at least 300 transfers. Are they justified or not? That's what I'm asking here.

Is there a personnel file on each employee? I can tell you clearly there isn't. There is no justification behind the transfers, promotions or demotions. I've asked for them. I've gone right in to the people in charge. They don't exist. How can we operate a city without having justifications for transfers and demotions? That's what I'm asking for here, Item C.

Item D, the lack of police officers according to the number budgeted. The response by Mr. Norton is, "The Police Bureau reorganization efforts and administrative changes have been based on the anticipated improved management of existing police resources. This has not been fully implemented. The Department of Public Safety must be cautious in considering the start date and size of any police recruitment class to be recommended to the Mayor. Some initiatives of the new police zone concept are the movement of police officers from secretarial, clerical jobs, to street duty. Expansion of police visibility and coverage through the use of one officer vehicles provisions of 24-hour management coverage of police activities, distribution of workload

evenly among the five zones, increased supervision of policing at street level, and productivity of all Police Bureau resources." That is the response.

Now, can any member of this Council tell me what the answer to that question is? I'm asking all of you. We asked the question; did we get an answer? That answer is an insult to this Council. There is no answer; it's similar to the dialogue we have had in the past where there is not an answer. The Director uses the cliché, where the rubber meets the road. That's where the police officers are going to be. That's what I want to know. Are they going to be there in the numbers necessary where the rubber meets the road? This answer has not told me that 141 vacancies, in any way, relates to where police officers are going to be out there where the rubber meets the road.

We need to know. That's been the question that's been going on for years in this Council and this Administration. Why vacancies and police officers, what is the number necessary? Let's agree on it, let's budget it, let's fill them. That hasn't been done, we still have no answer to the question, we still have no consultant study.

E, as part of this resolution, the question is, the accelerated rate of retirement for police officers in the first six months of 1986. The response by the Director, and I'm glad this one is last because there's nothing I believe that reflects what we're asking for here more than this answer. "All police officers which have retired during the first six months of 1986 were eligible for retirement." If you retire, obviously you're eligible to retire. I don't know really what he's referring to there, 20 years probably. "Reason for retirement probably varies from person to person. We do not know why each officer retired;

however, the fact that our Police Bureau has many older officers is probably a contributor." That the answer to that question.

In essence, and again I'll use the Director's language, imperial data behind anything that happens. We have imperial data. Is that imperial data as to why 65 police officers have retired? They don't know; he really comes out and says it here. There has not been an exit interview to determine why we have an accelerated rate of retirement within the Police Bureau. No one knows. We've lost between five and ten percent of all our police officers on the street and no one really cares. Why? Quality officers. And that's what this investigation is asking for, to find out why we are losing police officers at such an accelerated rate, simply by doing exit interviews, simply by questions and answers after a person has announced their retirement. It's not going on in this City. There is no desire to do it in this City. How can we determine what improvements are necessary in the Police Bureau if we don't ask our own people? What do we do? We go out and get a new director from another city, we get upper management from another city, we get a consultant from another city, and we have 65 people that retire and we never ask them why. And it's stated right here.

Those out of the five responses to President Woods' request for a written response to this resolution. And there is nothing that I can say that better justifies this resolution than this response.

Members of Council, again I am requesting that your logic, your concern, your desire to see this City better function is absolutely necessary in terms of soliciting solid data and information in this police bureau and all the changes

that are taking place. We owe it to ourselves, we owe it to the public, we owe it to the police officers. I am requesting again your re-evaluation of this resolution and your support of it.

Thank you.

Mr. Pollock:

I would first of all ask that all of the Committee Sessions be brought forward and included.

The Chair:

Wait a minute, Mr. Pollock. You can ask for your remarks to be brought forward.

Mr. Pollock:

Well I make a motion that all of the Committee comments for everybody to be brought forward.

Mr. Wagner seconded the motion.

The Chair:

On the motion, I would ask my colleagues not to vote for that because it's an awful, awful lot of work. They've already been transcribed once in the Committee Session. There's been much discussion on this and if we continue to do this — That's why we never get these reports printed. They're already printed, they're already on record in the Committee Reports.

Mr. Pollock:

If I can respond, our Wednesday sessions — I think you might be confusing them with the public hearings — our Wednesday sessions were not real long on this.

The Chair:

May I respond to that? Yes they were, quite, quite long. We had Mr. Norton up here for quite some time last Wednesday.

Mr. Pollock:

It's my understanding that the Wednesday session are not part of the official record.

The Chair:

Wednesday's Committee Meeting is part of the official record, the same with this meeting.

Mr. Pollock:

Mr. Perry, is that accurate?

The Chair:

You can ask me, Mr. Pollock; I know what's accurate. I just told you, yes, it is part of the official record.

Mr. Pollock:

You always call accurate whatever you want to call accurate so —

The Chair:

Mr. Pollock, you are out of order.

Mr. Pollock:

Is there a fine for that?

The Chair:

Yes, you are fined. Thank you.

Now, on the vote.

Mr. Pollock:

I wasn't through discussing or are you telling me I'm finished discussing?

The Chair:

Then stick to the point, Mr. Pollock.

Mr. Pollock:

I think what Jack revealed just now regarding the hearing going on downstairs, if in fact he is accurate, and I have no reason to doubt him, but I think that reveals a great deal there and that is —

The Chair:

Wait a minute, Mr. Pollock. You made a motion that we bring transcripts from Wednesday's meeting into this meeting.

Mr. Pollock:

I thought you said on the bill.

The Chair:

No, no. You made a motion and it was seconded.

Mr. Pollock:

Right.

The Chair:

I asked my colleagues to please not vote for it and I gave my reason. Then you gave your reason why. Now can we vote on that?

Mr. Pollock:

Sure.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Pollock Mr. Wagner

AYES 2 NOES 5

VOTING NO:

Mr. DePasquale Mr. O'Malley
Mr. Grabowski Mr. Woods
Mrs. Masloff (Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Mr. Pollock:

On the bill, as I was saying, if in fact Jack is right, that the information that he has received that Director Norton has either directed or asked or whatever that people subpoenaed not appear at a quasi-judicial hearing, which is the Personnel Appeals Board, I think is very revealing as to why if in fact this resolution were passed, why it would not be fruitful, and that is that we have no powers to do anything even if there were an investigation. And here a body composed and mandated by our Home Rule Charter which has subpoena powers which, as I said, is a quasi-judicial hearing, if in fact its subpoenas are ignored, then I think that is very indicative as to what would be accomplished by a Council investigation.

I think that some of the answers

that Jack is seeking have in fact been given to us. I think others that Jack is asking I think are misdirected in that Director Norton is not the right party to ask to provide these answers. Insofar as the unexplained demotions and transfers, the FOP is represented by one of the finest attorneys in the City and he is pursuing this matter through the Personnel Appeals Board, through the court system, and I think that the FOP will have it's day in court, or days in court, being represented far better than Council could do in any type of investigatory function.

So, my reason for opposing this legislation is as I've stated so far. I just don't think it's the right way to go, although, as I've said all along, I think Jack is acting in good faith and moreover that the bottom line is that if Jack feels he is not receiving answers, that a defeat of this legislation is not a statement that this Council does not support an individual Councilmember in his or her request to receive answers and that this body speaks as a whole when it speaks through any one of its Committee Chairman or Chairwomen who request information in that we expect information to be forthcoming.

Mr. Wagner:

I'd like my comments brought forward for the Record from all meetings.

Mr. Pollock:

Mine as well.

(BEGINNING - MR. WAGNER'S AND MR. POLLOCK'S REMARKS ON BILL NO. 1137 - WEDNESDAY, 7/23/86)

Mr. Wagner:

Mr. Chairman, members of

Council, this resolution is unusual in that we have not seen one of its type in a number of years in front of City Council.

The Charter gives Council the authority to investigate any administrative situation in the City of Pittsburgh, and basically, that is what this is suggesting, to conduct a formal investigation of administrative procedures.

This has come about as a result of many unanswered questions that have come in front of this Council and many unanswered questions for the residents of the City of Pittsburgh. This was talked about initially that we had at a public hearing two weeks ago. As a matter of fact, Councilman Givens read a specific portion of the Charter that refers to this. Councilman Givens also suggested at this time, that possibly there is a need to follow this procedure.

I would just like to briefly state and expand upon the items that I listed in this under Section II. The creation of job titles that do not exist in the 1986 budget, this Council passed a budget in December of 1985 creating certain job titles and numbers of jobs that exist within the Public Safety Department. Since that time, there have been other jobs created and administrative changes made in various management positions. That was not authorized by this Council. I have a list of job titles that I will not mention now that have been created. That relates to A under Section II.

And B under Section II, the lack of information precipitating administrative changes pertains to various items where there has been lack of public input that has gone into changes. Changes have occurred prior to public input. The most recent is the concept of going from nine precincts to five zones. Even though the

change has not occurred yet, as of Monday, the administrative changes of management personnel went into effect, and the beginnings of that change have occurred without having public input. The only public input that we have had was at a post agenda last week.

Number C relates to unexplained demotions and transfers. All of you sat here at a public hearing and heard the testimony of many officers that were never given the courtesy of an explanation for a change, a transfer, and as some of them indicated, a demotion. Just recently, there was a commander that was demoted and again yesterday was promoted. Again, a lack of information behind why these things are occurring, and in particular, with the individuals themselves. In other words, one day they are simply said to that they are transferred or demoted with no explanation.

And D, the lack of police officers according to numbers budgeted. All of you know this, and those of you who have been on this Council longer than I know this better than I do. This Council has repeatedly budgeted certain numbers of police officers for good common sense reasons, and those positions have not been filled. We have repeatedly stated at public meetings out in the neighborhoods that Council has budgeted the numbers, but the Administration has not filled them, and that has been our defense mechanism in saying there is nothing else that we can do. Well, there is something else we can do, and we can get to the root of it all and find out the reasons why through this legislation, why those positions have not been filled, and that is basically what I am suggesting here. The reasons should be put on the table, and they should be discussed.

And E, the accelerated rate of retirement of police officers in the first

six months of 1986, it has reached an all-time high. It is 65 in six months. It is at an alarming rate with no anticipations or new hires this year which clearly tells me that the public has less protection. We should find out the reasons these retirements are occurring at such an accelerated rate in comparison to previous years. We should get to the bottom of it and find out if there is anything that can be done to prevent it or to slow it down.

I also indicated in this legislation that the purpose of the investigation shall include but not be limited to those five items. There are other items that I believe need to be looked at, a consultant study that this Council allocated dollars for and has had no explanation at all about that consultant study that was to be the basis for evaluation of change within the Police Bureau. We know nothing about it, and many changes have occurred.

In general though, what I would like to say is that the main reason for this legislation is the lack of answers to questions. Something that I believe a municipality must have in order for it to function properly. At the very least, questions should be answered, people should come to this table that are asked to come to this table and repeatedly have not come to this table as it relates to the Public Safety Department, even after a major change occurred a year and a half ago, and a major change occurred in December of 1985 with many changes in the new budget for Public Safety. We need to know what the plan is. For some reason, no one will tell us what the plan is, what these changes are and where they are going, and what benefits will be gained from it. We read news releases, and that is all we have read. They say there are financial savings to be gained by cutting precincts from nine to five, well there is only two ways for financial

gain to occur. Either elimination of physical facilities, or reduction of personnel. There will not be an elimination of physical facilities, we know that. They will all be utilized. If there is to be financial gain as a result of it, it must be the reduction of personnel. If that is the case, let's say it and let the public know. Let's let the public have input to it. Let's operate in an open management governmental fashion, and that is what this legislation is all about. It is to find out answers to many unanswered questions, and so therefore, I would suggest that we pursue it vigorously, and hopefully all of you will support it.

Members of Council, there is a thinking in this town, in this City, and at this very table, that dialogue and checks and balances on the Administration is not the way that government should function when clearly that is the reason why and the intention of the Charter of this City. Dialogue, looking at, asking questions about the Administration is healthy for good government. And when question are not answered and information is not given, I will be the first one to stand up and ask why not. And the Charter has given us the power to ask why not with the Section 312.

There is nothing wrong with asking the Administration to come to this table to ask questions and get answers. Not sidestepped answers, but to give us solid answers and show us solid data. We control the purse strings of this City as a Council. The Mayor does not control the purse strings, Council does. Council must be independent of the Administration in order for this government to function properly. That is healthy, that is good. That is the way this Charter was written. That is more the issue, I think, than this piece of legislation, and because that is more the issue, I believe this Council somewhere,

somehow, someday must get the answers that it deserves because the public is asking them. The public has asked many questions as it relates to public safety. Those answers have not been given. Why many others have not asked the same questions, I don't know. Even the media has accepted the proposed changes after a year and a half when in fact no plan has been put forth. And what I am saying is to ask questions on issues and to get answers is healthy. That is what this is suggesting.

Now, in response to my colleague, Michelle Madoff, in regard to all five items, I have heard her talk repeatedly about why not. Why not. Why no police officers. Why were jobs changed and titles moved from one area to another when they were not there in the budget? Why haven't we received information to back up these suggested changes? Why does the media get information and the Council that funds the Administration gets none? These are all solid questions, and the only way I can see that we can ever get those answers is to formally request them with the authority given to us by the Charter. We can talk all day. We can ask questions all day. We can have post agenda after post agenda. We can have public hearing after public hearing, and we will all get up and walk away, and questions will still not be answered as to why we don't fill the vacancies of police officers. No one has answered that question. As simple as it is, no one has answered it. No one has answered the questions of the creation of job titles, as simple as it is. The demotions and transfers, that was answered in the media, not with the individuals, in the media. That is alarming, to me it is as Chairman of Public Safety. Someone was demoted, and yesterday they were promoted. That concerns me. What is going on? And if we haven't seen enough facts come in front of us to realize that we need to

take a closer look at the department that we have given millions of more dollars in comparison to previous years, I don't know what is. And the time has come to get down and find out really what the plan is, have the questions answered, and let the public have some input and that is what this is suggesting. And I would hope that you support it.

I can see right now that there is not sentiment on this Council to support the legislation, and I know Councilman Givens has talked in favor of it. Obviously, I would like to see us have five votes. Whether or not we will, I do not know to be quite frank, until we do vote. But quite frankly, if there is a vote that is not here that will vote for it, I would be a fool if I didn't move to hold this legislation one week. So, I would like him to be here as part of the debate, so I will retract my motion to approve and hold the legislation for one week.

THE CHAIR COMMENTS

Mr. Pollock:

Well, I wondered if during your daddy's 37 years on the police force —

THE CHAIR COMMENTS

Mr. Pollock:

Well, during your father's 37 years on the police force when he received these transfers, did any of them ever result in a \$2,000 a year decrease in pay, if he would have ever made a noise about it or not.

THE CHAIR COMMENTS

Mr. Pollock:

Is that responsive to what I said?

THE CHAIR COMMENTS

Mr. Pollock:

I didn't ask a question.

THE CHAIR COMMENTS

MR. GRABOWSKI COMMENTS

Mr. Wagner:

I agree with Councilman Grabowski, and I would just simply like to respond in that in regard to this bill, there is nothing here that refers to any individual from being changed, promoted, demoted or transferred, and there is nothing here that refers to anything as it relates to bring politics into the Police Bureau or the Public Safety Department. What is here refers to good management. And this Council has every right to investigate good management procedures. Me as an individual, Chairman of Public Safety, if there is any one individual within the 2500 people within Police, Fire, EMS, Administration, and Building Inspection that is demoted without explanation, and simply receives a demotion or a transfer without explanation from a superior or in writing, that to me warrants a formal investigation of that Department because good management procedures have not been followed. That has not been done with one person. That has been done with dozens of people. In addition to that, many many other items have not been answered here that relate to good management, that relate to the Charter of this City, and the way I see it, there is nothing above the Charter, including all of us and all of the Administration. The people wrote the Charter, and if questions are not being answered and changes are being made with appear to be for the sake of change, not for politics, but for the sake of change, then questions have to be answered. They have not been answered. I don't know many

Councilmembers were here at the end of that public hearing, but I sat back and took notice that when the former chief of this City, Mr. Bill Ward came to the microphone and indicated that there was a serious morale problem within the Police Bureau, he further indicated that transfers were done for vindictive reasons. He further indicated that there was a plan that has been in existence for an excessive period of time. That plan was never even shared with him or anyone in the upper echelon of the Police Bureau, let alone this Council. And if that is not enough to make anyone wake up and see what is happening, I don't know what is. And we are hearing from the professionals, from people that have been there for 35 years. We are not hearing from new people, not people that are not answering our questions. We are hearing from people that have been here for a long time.

This legislation does not relate to any individual. I have not talked about individuals. I have talked about procedures, policies and good management, and this Council has every right to investigate that, and I am hoping this Council as a whole supports the legislation.

Now, I don't know if there is any other comment, Mr. Chairman, but I still take my original position that I would like to see it pass and need five votes, so therefore, I am going to wait until my colleague is sitting here because I think he supports it.

(END OF REMARKS - 7/23/86)

(BEGINNING - MR. WAGNER'S AND
MR. POLLOCK'S REMARKS ON BILL
NO. 1137 - WEDNESDAY, 7/30/86)

Mr. Wagner:

Mr. Chairman and members of

Council, what I would like to do is share with each of you some information in researching the Charter, pertaining to Council's powers to simply obtain information and I think that's very important because what this piece of legislation pertains to is nothing more than the solicitation of information.

What I have passed out are different pages of the Charter that refer to the number in the Charter that is indicated in this resolution, Section 312 of the Home Rule Charter and I'd like to read that. "Investigations - Council shall have power, by resolution, to authorize investigations to be conducted by Council or by a Committee of Council. Investigations may deal with legislative or administrative matters." I'd like to stop there for a moment because that's very important in terms of this resolution. This resolution can only deal with legislative or administrative matters. The comment has been made to me that this is serious and it could relate to criminal - that is not the case. The Charter does not give us the authority to go any further in an administrative matter or a legislative matter and this zeros in more on an administrative matter towards an investigation.

To continue as it reads here. "The subject of the investigation shall be stated in the resolution authorizing the investigation. Council may reopen the budget to provide funds for the investigation. The presiding officer of Council or the Committee shall have the power to administer oaths to witnesses." Now, as you know, in the Charter there is an explanation of each section of the Charter in the back of the Charter. Now Section 312 is the second page of the handout that I have passed to you and I'd like to read that because it really clarifies the legal language of each section of the Charter and it reads as follows: "Council is expected to

conduct frequent and careful investigations of the City's problems, needs and opportunity so as to be well prepared at all times to assist effectively in making wise and progressive policy."

I have been on this Council for two and one-half years and I have never seen one time when this Council has looked into formally any administrative matter, but clearly the Charter indicates that we are expected; it is part of our duty, to conduct frequent and careful investigations of the City's problems, needs and opportunities so as to be well prepared at all times to assist effectively in making wise and progressive policy.

I also handed out the first page of the Charter that gives the overall findings of the Commission when the Charter was put together and I've highlighted certain things that I think are extremely accurate to this City today. Under Section B, in a summary of what is in the Charter it indicates, "Pittsburgh's strong Mayor form of government dating back to 1911 is basically a sound form but needs to be strengthened in three areas: First, the area in need of strengthening is checks and balances. That is, sufficient strength is needed to be provided for each of the various branches of City government to prevent any single branch from abusing its power in the future. The second area is accessibility. Mechanisms need to be provided to insure citizens the means to communicate with City government and to participate in the processes. The third area is accountability. Adequate provisions need to be made for officials to report to the citizenry what they are doing to carry out their duties to insure that officials are responsive to the public will."

Now I thought it was very

important to read that here because that relates directly to my resolution — Resolution No. 1137 and what is indicated in that resolution and really what it relates to specifically is requesting information. It's nothing more than that. If the information is provided, then this resolution is not warranted; it's that simple. If we have the facts behind what is asked in this resolution, then we can take this resolution and throw it in the rubbish can because it doesn't mean anything. What I am saying in the resolution is that we need more information relating to certain things within the Public Safety Department and I am specifically saying that there are five items of concern in this resolution and I'd like to just ask each one of you here at this table if you can answer the questions that I have asked in this resolution and if you can, I have no reason to present this resolution at this table and to ask for your support in the resolution. And the first item is, "the creation of job title that do not exist in the 1986 budget." Is there anyone that can explain to me why that's happened?

THE CHAIR COMMENTS

Mr. Wagner:

Mr. Chairman, as it relates to "A" in the resolution. Director, I don't know if you have a copy of the resolution.

Director Norton:

I have the deferred paper. What job titles do you refer to sir?

Mr. Wagner:

The various job titles that relate to specific news releases suggesting that people have been promoted to positions of commander in various sectors. The exact job titles are Commander of

Narcotics, Commander of Perpetrator of Information, Commander of -- there are various others of which I do not have a list in front of me but job titles that do not exist in the budget.

Director Norton:

One, without being facetious, I don't think we should believe everything we read in the newspapers but the job title that we're referring to is Commander. Commander is a Civil Service classification. The jobs and the promotion of the persons involved were addressed by the Civil Service Personnel Commission and found that the job classification was in sync with where the persons were being promoted.

I recall the first line of the job description being a Commander commands a precinct or major division of the Bureau of Police. Where we assign the commanders in an administrative function. Whether or not there is a classification of commander and the numbers is a legislative function.

Mr. Wagner:

I have solicited from our staff the operating budget people, if they could find those job titles in the budget and we have not been successful in doing that and I have mentioned that to my colleagues.

THE CHAIR COMMENTS

Mr. Wagner:

No, I have not checked with the Controller.

THE CHAIR COMMENTS

Mr. Wagner:

I agree with you and I think that is

the reason behind the resolution. That is to obtain whatever information does exist within City government, whether it be within the Administration or within the Controller's Office, Finance Department or wherever and with the creation of these job titles I think its important that Council be provided with the information as to whether or not they existed in the budget, whether or not they exist today and if so, how are we funding them, how are we actually paying these salaries if they don't exist in the budget?

THE CHAIR COMMENTS

Director Norton:

That's right. Inspector was changed during the budget process last year to Commander. Everyone's title is Commander. Where they work and what their functions changes from a division to a precinct.

THE CHAIR COMMENTS

Director Norton:

Including those that were requested as needed.

Mr. Wagner:

Well, as needed and we could get into semantics here but the job descriptions of Commanders or Inspectors previously clearly defines in the job description that it is within a certain geographical district that that person works --

Director Norton:

-- or division, it's the very next word after precinct -- geographical area or division.

Mr. Wagner:

Geographical division — you're right.

Director Norton:

It doesn't say geographical division — precinct geographical area or division.

Mr. Wagner:

Whatever it says it indicates that the Inspector position prior to this year was utilized in a capacity of a particular geographical area and that's how it's described in the job description and I'm sure we could talk about that all day but I believe there needs to be a clarification as to really what are these job titles? Are they commanders of precincts, are they commanders in general of the entire City and if so, was that the intent of Council back when we budgeted those positions in the budget? We need to know that information I believe prior to creating or filling more positions of that type and that is what I am suggesting to all members of Council, that this is more a solicitation of information than anything.

THE CHAIR COMMENTS

Mr. Wagner:

Well, Mr. Chairman, I disagree with you on the serious nature aspect of it because really all it talks about is investigation and Council only has two powers and the powers are to legislate and to investigate. We frequently legislate and we infrequently investigate and what I am suggesting is that if we need to investigate we have the right to do that as we do to legislate and there's nothing here that indicates that it is more serious than the wording in the resolution as it is stated.

THE CHAIR COMMENTS

Mr. Wagner:

I have no information relating to the creation of job titles.

THE CHAIR COMMENTS

Mr. Wagner:

Yes.

THE CHAIR COMMENTS

Mr. Wagner:

Basically it's very clear, are these job titles in the budget? That's basically the question; it's that simple, and I believe there needs to be clarification here at this table as to whether or not these are in the budget and if so I would like to know where. The information I'm requesting from "A" in this resolution. I'd like to move on and talk about some other items. "B" relates to the information precipitating administrative changes. Now I know there have been many changes within the Administration, particularly within Public Safety, some of which I support, however, there are some that I feel we need as a Council more information prior to those changes. One example is, the zone concept. We have had several petitions and at this point I don't know many, soliciting a public hearing on going from the nine precincts to the five zones. If we receive sufficient information supporting the changes, I believe this Council should support that proposed change. My concern though is that there is confusion as to whether or not there is sufficient data supporting those changes. At it relates specifically to that one, the only thing I have to go on is a news release and I don't believe any member of this Council has anything else to go on except a news release and if

that news release it clearly states some of the objectives of the Administration, one of which is that this proposed change will save the taxpayers and the City dollars and if that is the case, I believe that this Council needs to know specifically where and how this will save the taxpayers dollars. It states the five-zone plan as well as other measures now under consideration are designed to use the substantial amount of tax money to be spent on police function in a more effective way.

In order for us to structure a budget, in order for us to know how many commander positions are in a budget and fund them, we need to know — are we going to need so many commanders for so many zones or so many commanders for so many precincts? We need to know how many officers we're going to have on the street, how many are going to be filled, how many are not going to be filled. We need to know more data as it relates to that change and other changes and I could talk about that change all day long — the nine precincts to the five zones and I think it would be good if we had additional information other than a new release and I believe that the public would be much more secure if they had more information.

Now I know this past Saturday I went to a meeting that was put together by the Pittsburgh Neighborhood Alliance and the Administration and the Director was there with many of his staff and there were many neighborhood groups at that meeting. At that meeting many things pertaining to public safety were discussed, one in particular the five-zone concept. What I am saying to this Council is, we have never had that opportunity. We have never had the opportunity to sit down and talk with the Administration on this five-zone concept however we fund a department and we have to support the changes and really

what I'm talking about here is very basic and that's the reason why I had to read the Charter when we started out here and I think it's important that we know how often a police vehicle and the public knows how often a police vehicle is going to pass on their street if we're supporting a major change. We should know how often and how many business districts will have beat officers and the public wants to know that and I believe that the Director has some information there and I think it's important that that information is translated to this Council as it relates to that item. And I believe every member of this Council does not have sufficient information. "C", the unexplained demotions and transfers. If the Administration in any department is justified with a transfer or a demotion and can verify that it is legitimate and it should be done, I believe this Council cannot in any way ask for why that was done or explanations behind it. As long as there is a personnel file with an individual that verifies the reasons behind it, I believe that this Council would have to support it. But what I'm asking with "C" is, are we reassured after a public hearing that that information is available, and I'm asking my colleagues when I say that.

MICHELLE MADOFF COMMENTS

Mr. Wagner:

No, I'm not asking the Director right now, I'm asking all of you and we can ask the Director and we can get that information and that's the purpose behind this resolution, to get the information flowing. I know Michelle you say that I vote in a vacuum and if we're going to support a budget come November —

MICHELLE MADOFF COMMENTS

Mr. Wagner:

And "D" the lack of police officers according to the number budgeted. We have 141 vacancies. Can we explain to the public why we have 141 vacancies? I can't. The response I hear from every member of Council, including myself when I go out to a neighborhood group, well, we have budgeted so many officers and the Administration, particularly the Mayor, has not filled the positions. Do we know why and do we know whether or not they are going to be filled and if we do know whether or not they are going to be filled and if we do know the answer, well then we should not be over - budgeting for police officers, it's that simple. This Council - if we know the answer why and we support the Administration on that issue, we should not budget - we should bite the bullet also and not budget an extra 100 officers that we know in reality are not being filled but we don't know the answer.

MICHELLE MADOFF COMMENTS

Mr. Wagner:

I would like to interject. That's exactly what this resolution is. If that's not happening - in other words, what you're saying is that you support the concept behind the resolution.

MICHELLE MADOFF COMMENTS

Mr. Wagner:

Well, that's the reason why the Charter clearly indicates that. Under 312 Council is expected to conduct frequent and careful investigations of the City's problems, needs and opportunities.

MICHELLE MADOFF COMMENTS

Mr. Pollock:

Change people on Council.

MICHELLE MADOFF COMMENTS

Mr. Wagner:

What I am proposing is a resolution to find out additional information.

MICHELLE MADOFF COMMENTS

Mr. Pollock:

There's an election next year.

Mr. Wagner:

Right at this table. Mr. Chairman, I'd just like to go on and then have any dialogue that the Director may want to respond to the specifics of each and Council may want to add or detract from this, but what I would like to say is that - No. 5, I should mention "E", accelerated rate of retirement. All these issues we are well aware of and we know that we're losing more people therefore we have more vacancies and we may not be able to properly serve the public and maybe we should even be considering more so the hiring of additional officers but what I would like to say is, is that it's very important to have questions answered pertaining to public safety, pertaining to these five issues and pertaining to many other things within this Administration. That's really the issue here. The issue isn't even Councilman Wagner and Director Norton as it relates to public safety. The issue is the flow of information from the Administration to the legislative body.

MICHELLE MADOFF COMMENTS

Mr. Wagner:

And that is the issue here and the issue relates directly to what this Council does as a legislative body. Now we can continue not to solicit information and the flow of information is healthy, it's productive — as a matter of fact, there will be greater harmony I believe between the Administration and the legislative body if that happens. If it doesn't happen there is not going to be harmony and there is going to be a constant battle going on between the two forces. So therefore what I am suggesting is that this Council begin to formally request information and in doing so we are doing nothing more than living up to what our responsibilities are as are indicated in this Charter and it's nothing more than that.

If I may follow up, the important thing is, are members of Council comfortable? Are you well aware of all that I have asked here? I am not and I am Chairman of the committee and I think the real issue is, are you? Do you know why we have had more retirements in police this year than any other year in our history? Does any member of this Council know that?

MR. WOODS COMMENTS

Mr. Wagner:

That's exactly what this resolution asks.

MR. WOODS COMMENTS

Mr. Wagner:

We need a resolution for it to be done officially by this legislative body.

MR. WOODS COMMENTS

Mr. Wagner:

No I can't.

MR. WOODS COMMENTS

Mr. Wagner:

I stand alone Mr. Woods without your support and three other members of Council.

MR. WOODS COMMENTS

Mr. Wagner:

On everything.

MR. WOODS COMMENTS

Mr. Wagner:

On everything that comes in front of us. I stand alone unless I have the majority of Council supporting me.

MR. WOODS COMMENTS

Mr. Wagner:

Are you comfortable — do you know the answer as to why we budgeted so many positions for police officers but yet we're 140 short?

MR. WOODS COMMENTS

Mr. Wagner:

Yes.

MR. WOODS COMMENTS

Mr. Wagner:

I agree with you there but the police never did the intensive work that EMS did. They did first-aid type work and we are less 450 police officers since that time. We've had a 30 percent

reduction in that department. Overall City-wide, we have only had a two or three percent reduction in personnel and other departments over that same period of time. It's unknown to me why we have had such a significant reduction in police but yet not a reduction in other areas and I believe this Council to professionally evaluate a budget to fund departments must get the answers to these questions. We have not received the answers to the questions, we have gut feelings -- you have a gut feeling and I have a gut feeling why it's going.

MR. WOODS COMMENTS

Mr. Wagner:

Who's answer is correct?

MR. WOODS COMMENTS

Mr. Wagner:

He believes his is.

MR. WOODS COMMENTS

Mr. Wagner:

Why not?

MR. WOODS COMMENTS

Mr. Wagner:

Then why did the writers of the Charter indicate and use that language? They have never said anywhere in this Charter that there's a cloud or there's something illegal.

MR. WOODS COMMENTS

Mr. Wagner:

But it's your interpretation but it's not the accurate interpretation.

MR. WOODS COMMENTS

Mr. Wagner:

The interpretation means that Councils is expected --

MR. WOODS COMMENTS

Mr. Wagner:

I can say this and I mean this sincerely. If Council does not have the fortitude to investigate anything that we are not comfortable with, then there is no need for a Council to exist in this City.

MR. WOODS COMMENTS

Mr. Wagner:

That's not true.

MR. WOODS COMMENTS

Mr. Wagner:

What I believe is that all the facts are not on the table. You may believe one item on one issue and you may be right and the Director may believe something else and he may be right, but what I'm saying is, let's get all the facts on the table and let's find out precisely what is accurate, precisely how many police officers we should have, precisely why there are so many retirements, precisely why we need five zones. That's all that I'm requesting here and what I'm saying is that it cannot be done professionally and legitimately unless the majority of this Council backs the pursuit of that information and it has to be the majority or else it is simply one person standing alone and that is not the way this Charter intended us to function.

MR. WOODS COMMENTS

Mr. Wagner:

Mr. President, if you get the information, would you share it with us?

MR. WOODS COMMENTS

Mr. Wagner:

Just to summarize, I would like to say I believe it is certainly within the confines of this Council to be pro-active when it comes to any issue and changes that are suggested. We do not want to be reactive and I know the Director knows those terms well because they relate to police work in particular and I say that not only to public safety, I say that to any issue in the City. And there is no member of this Council that has the right to grandstand on any issue, particularly the number of police officers if you don't support this resolution. Because we do not have the answers, we do not have the answers to understand why we budgeted so many but yet we do not have as many. We do not have the answers to the other questions here and that is the only what this Charter is giving us the power to do. This Council is very powerful. It's just that this Council has never flexed its muscles with its power; it hasn't since I've been here and it gives us all the power that the citizens wanted to give us. It is a strong mayoral form of government but this Council can provide the checks and balances that are needed in any form of government and the flowing of information will make this City work better for the Administration, this Council and the citizens and that's nothing more than what is being asked here in this resolution.

THE CHAIR COMMENTS

Mr. Wagner:

I have not been denied

communication. I have been denied information. The Director and I have communicated many times and I've communicated with many other people within the Administration pertaining to these various issues.

THE CHAIR COMMENTS

Mr. Wagner:

An example is, I do not know why we have 141 vacancies in the budget for police officers.

THE CHAIR COMMENTS

Mr. Wagner:

Yes, and I believe many people at a public hearing asked.

THE CHAIR COMMENTS

Mr. Wagner:

The answer was and Director, please correct me, it will take some time to determine how many police officers this City needs. I know that I have spoken many times about a consultant study and I have always thought that that was the piece of information that was going to answer this question. I have always thought that that was the piece of information that was going to answer the other questions. We have been denied that and I haven't listed that in this resolution. I have kept that out but maybe that should be in this resolution, but that relates I believe to a lot of information. Is there a personnel file with everyone that is demoted and transferred? And I can tell you clearly in this City and in the majority of the departments there is not a personnel file. Now is that the Director's fault? I don't think it's his fault but I firmly believe that if there are demotions and transfers that this Council should

demand that there is a personnel file that can validate the reasons behind it if that's occurring. And this is really getting to the root of many problems and that's the reason why I say, this is challenging not Public Safety but the Administration to provide us with the information. And if we don't have the information, then we're voting in the dark.

THE CHAIR COMMENTS

Mr. Wagner:

I don't know the answers. I don't know why we have retirements at an accelerated rate.

THE CHAIR COMMENTS

Mr. Wagner:

Yes.

THE CHAIR COMMENTS

Mr. Wagner:

Yes.

THE CHAIR COMMENTS

Mr. Wagner:

Mr. Givens, I do not chair the Personnel Department and I cannot provide exit interviews with 65 police officers.

THE CHAIR COMMENTS

Mr. Wagner:

I'm asking for it in this resolution. I don't know if you're really following what I'm trying to do here. I'm asking that in this resolution and I'm saying if this resolution passes this Council, the Administration must give us

that information.

(END OF REMARKS - 7/30/86)

(BEGINNING - MR. WAGNER'S AND
MR. POLLOCK'S REMARKS - BILL NO.
1137 - WEDNESDAY, 8/6/86)

Mr. Wagner:

Well, obviously, being the maker of the bill I support the bill, and what I could do is hold it for at least after the recess; however, the information that I am hoping to obtain that will support this bill will come tomorrow, which would mean that final vote on the bill would come Monday, and I would like to see the final vote comes as soon as possible, primarily because the issue is an issue, the topic is at hand, and I think these items need to be resolved as quickly as possible prior to the changes taking place, and the information needs to be obtained to support these charges. So, therefore, I don't choose to hold it any longer than one week for that reason.

I would like to make a few comments. Members of Council, I have made several comments about this at last Wednesday's meeting. I believe all of you know my reasons behind this legislation, and my reason for holding it one week, with the public hearing coming tomorrow. I would like to say I am going to make two amendments to the bill prior to Monday. I don't have them here in writing or I would make the amendments now, but just to inform you, those two amendments will include eliminating under Section 2 the wording "but not be limited to". Exclude that from the legislation. The reason why is that the Charter, I believe the interpretation of the Charter indicates you have to zero in on whatever you want to look at here, and you can't leave an open door as to investigating anything with a department, so I believe that that

language is not accurate, therefore, I will make a motion to amend that out of the legislation, and under "B" an amendment will be coming to add to the wording, the lack of information precipitating administrative changes, the wording added to that will include the Police Consultant Study, the study that we have talked about so much that we do not have, so those two amendments will be forthcoming prior to final vote on the legislation.

I would just like to add that I know we discussed the items in the Charter last Wednesday when this legislation came up, and this legislation should not be unusual for this Council, if it is to provide the checks and balances necessary to the Administration. It indicates that very clearly in the Charter, even though this type of legislation has not been in front of this Council for years. It basically solicits information, and it asks the Administration to provide information pertaining to various areas, and if that information is provided, then this legislation basically has no merit. I have continually asked for that information under "A", the information pertaining to the creation of job titles that don't exist in the 1984 budget, and I have asked anyone and everyone to please show me where the job titles exist for Watch Commanders, Perpetrators of Crime Commanders, Commander of Narcotics, Commander of Crime Information, Assistant Chiefs in General Inspection, Assistant Chiefs in Professional Responsibility. They don't exist; however, the Administration has chosen to create those positions and fill them during mid-year, and I believe that is in conflict with the Charter and in conflict with the budget. I continually request that the Administration please show me where those positions exist in the budget.

Number two, the many areas that

fall under it, particularly going to the five-zone concept, I don't believe there has been enough dialogue as it relates to that, and I believe there needs to be more information prior to any changes of that magnitude taking place, in particular the consultant study that was promised to this Council prior to any changes taking place.

Number three, we need to know the information behind the demotions and transfers.

Number four, the lack of the numbers of officers to be filled in the budget. That was to be the primary question answered in the consultant study. And, number five, the accelerated retirement of police officers.

I would hope that this Council would take a stand and require that this information be provided to support all of these items, and I would hope that all of you would reconsider your position on this issue and support them.

Mr. Pollock:

Yes. I do not support the legislation because it is not my style to investigate or call for an investigation of any City department, but if this legislation is defeated I hope that the defeat of it will not be interpreted as a statement by this Council and any of the members of it who oppose the legislation that we as a body, or we as individuals, feel that any member of Council stands alone in his or her request for information from the department to which he or she is Chairman of that committee.

If Mr. Wagner feels he is not getting answers or getting information, then I would hope we would all support him in his request to obtain information,

within reasonable bounds, and my only comment at this time is to reaffirm and hope that we do reaffirm the position that we are a body and we all support each other and hope the answers that Mr. Wagner or any other Councilperson requests in the future would be forthcoming upon that request.

Mr. Wagner:

I would like to make, Mr. Chairman, members of Council, one final comment. First of all, I am very pleased Councilman Givens supports the resolution, because it is obvious he has felt what I have felt, after sitting through that lengthy public hearing and talking with many, many members of the public, and police officers, and it is not my style to put legislation in front of this Council like this. This is not the popular thing to do in terms of working within the Administration or politically. The issue, obviously, is not supported by the written media in this City, and to go against the media on a position of this magnitude is a very difficult thing to do. However, I strongly recommend that everyone continually refer back to what the Charter says, what we should do if we are members of this Council.

Mr. Pollock, I know you indicated it is not your style to investigate, but it clearly indicates in the Charter, under 3108, the Power of Council is to conduct investigations in accordance with the provisions of the Charter. Now, this is in now way violating the Charter; as a matter of fact, it is right in line with the Charter. Under the same section of the Charter, Council can call a meeting at any time between Council and the Mayor to jointly discuss a legislation or any item in general that concerns the City. We have requested members of the Administration, including the Mayor, to attend the public hearing that Councilman Givens referred to. Many of

those people have not been in attendance, and we are talking about very basic items that are in the Charter, that are being violated. You indicated that you would support any member of this Council that is not getting information. I can clearly say to you that there is no information, and if there is information I say, please provide it. Give it to all members of this Council. I have received nothing except a news release, which I received from the media, and I have said that time and time again, and for this Council to continue to agree and to accept anything and everything that is put in front of it is not the purpose of this Council. I have said time and time again that we don't need a Council in this City if we agree and accept everything that the Administration provides, and this legislation is legislation that simply lets us provide the checks and balances on government that we are supposed to provide.

At the public hearing that we recently had, every member of this Council just about made several comments or asked several questions of various speakers, and I know one of your responses, and I have it in front of me, and it was after one of the speakers, in light of the testimony, I find it incredible, absolutely amazing, that we have any police officers going to work in this City, and if that isn't something to make all of us get the answers, and you were right on target, I don't know what is. And I could go through comments and statements made by other Councilmembers at that hearing, and at other hearings with regard to that issue, and similar issues, and again I am simply stating let's be pro-active rather than reactive. Let's ask for information. If it is provided, if it supports what they are suggesting, fine. Let's not be reactive. Let's not wait until all of these changes have taken place and we have to react to

it, and that's the way the Charter was written. That's the purpose why it was written that way. That's the way the people of this City and people of that Charter supported that Charter and want us to function, and that's all I'm asking for is to support the Charter. Don't support this legislation, support the Charter, and by supporting the Charter we are doing the right thing.

I have asked for the information. Show me in the budget where these jobs exist. Show me. We all have a budget. It has never been done. Tell me why we have an accelerated rate of retirement; it has never been done.

There has never been exit interviews given to people. That's not a good management principle. Let's find out why, if we are losing that many police officers, 65 so far this year, let's find out why. Maybe it's healthy, maybe it isn't healthy, and if it isn't, let's find out why. And they are basic, simple questions that need to be answered, and they are not being answered.

I would have assumed the information would have been provided, though, prior to a final vote on the legislation, and the final vote, we discussed this last Wednesday, if the information was available I feel it could have easily been supplied by Monday.

It was not. In regard to other items, there are no answers, and it is not that I don't agree, there are none.

In regard to the Convention Center, none of us were invited to that. I went to that.

I was not, and I am the Chairman of the Public Safety Committee. I made it a purpose to go there, and even key groups in the City weren't invited. The Block Watch groups, Community Crime

Prevention groups were not invited, the most important groups in the City when it comes to police changes. Community Councils were invited, and that was good, but the important groups weren't.

Well, it is good they had the program, but the program still did not include the key groups in the City which are the Community Crime Prevention groups, and if the Administration wanted to have good dialogue with the important neighborhood groups they are the important groups to include.

Your comments at the public hearing are totally contrary to what you just said, and I could sit here and read them and read them. The Administration is going to have to answer a lot of hard questions to this Councilman, and that's exactly what they are, questions that haven't been answered.

They have not been answered because I have received no information and neither have you. You just said you don't know the reason for the rate of retirement or even what the frequency of retirement is.

Many of the unanswered questions at the public hearing are still outstanding, and you will find out tomorrow they will be outstanding, and the Charter gives us — we are not asking the Administration to check with Council; Council is playing the role it should play with the Administration, to check with the Administration whether or not they have to support that on what they are attempting to do. I have said this time and again at this table, this Council has two powers, to legislate and investigate. We legislate, but we never investigate, and that's exactly what this legislation is.

(END OF REMARKS - 8/6/86)

The Chair:

Okay, on the vote. It is a negative recommendation. If you are in favor of the bill, vote yes; if you are opposed to the bill, vote no.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Wagner

AYES 1 NOES 6

VOTING NO:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Mrs. Masloff	Mr. Woods
	(Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also, with an affirmative recommendation,

Bill No. 1256

A Resolution entitled, "Resolution providing for a Contract or Contracts from time to time in connection with the demolition and removal of condemned buildings and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1257

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Center for Victims of Violent Crime for professional services in connection with advocacy services and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. DePasquale presented

Bill No. 1279

Report of the Committee on Engineering and Construction for August 6, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1190

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Gannett Fleming Transportation Engineers for Engineering Services in connection with the In-Depth Inspection of the Schenley Park Bridge over Boundary Street; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1191

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Gannett Fleming Transportation Engineers for Engineering Services in connection with the In-Depth Inspection of the Schenley Park Bridge over Panther Hollow; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1192

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the In-Depth Inspection of the Ohio River Boulevard Bridges No. 1 and No. 2; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1193

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or

Consultants for Engineering Services in connection with the In-Depth Inspection of the Columbus Avenue and Allegheny Avenue Bridges; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1194

A Resolution entitled, "Resolution amending Resolution No. 199, effective March 19, 1986, entitled: 'Providing for a Contract or Contracts, or use of existing Contracts, for the Renovation of Turfed Areas and Ballfields, including, but not limited to Arlington and Whitman; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$41,000.00."

Which was read.

Also,

Bill No. 1195

A Resolution entitled, "Resolution amending Resolution No. 96, effective March 2, 1984, entitled: 'Providing for a Contract or Contracts or the use of existing Contracts for the rehabilitation of Armstrong Playground; and providing for the payment of the cost thereof,' by decreasing the total project allocation by \$776.83."

Which was read.

Also,

Bill No. 1196

A Resolution entitled, "Resolution further amending Resolution No. 618, effective July 13, 1981, as amended by Resolution No. 622, effective August 1, 1983, as amended by Resolution No. 212,

effective March 21, 1985, entitled, 'Providing for a Contract or Contracts for the Construction of Sidewalk Ramps for the Handicapped at various locations in the City of Pittsburgh; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$200,000.00."

Which was read.

Also,

Bill No. 1197

A Resolution entitled, "Resolution further amending Resolution No. 750, effective September 6, 1983, as amended, entitled: 'Providing for a Contract or Contracts for the Construction of Walls at Various Locations, including but not limited to the following: Wick Street, Holt Street, Monroe Street, St. Martin Street, Goettman Street and Blessing Street, providing for an Agreement or Agreements with Pittsburgh International Engineering, Inc. for Engineering Services in connection with the Design of the Reconstruction of the Blessing Street Wall; and providing for the payment of the costs thereof," by increasing the total contract amount by \$160,000.00 and by adjusting the aggregate amount of this Resolution."

Which was read.

Also,

Bill No. 1198

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Fall 1986-87 Street Tree Planting Program in Various Community Neighborhoods and Business Districts; and providing for the payment of the cost thereof."

Which was read.

The Chair:

-Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mrs. Masloff presents

No. 1280 WHEREAS, on August 30 and 31, 1986, the Hill District Civic Association in conjunction with the Black Solidarity Fair Committee will co-sponsor "Community Days" for the Hill District community at Kennard Field; and

WHEREAS, the Hill District Civic Association and the Black Solidarity Fair Committee are assisting in improving the quality of life and recreation by meeting the needs of the Hill District community and our City; and

WHEREAS, in January, 1986 the Hill District Civic Association was organized and founded by its president, Mr. Thomas "Slim" Thompson, with the

purpose of bringing together, at frequent intervals, those who are interested in civic betterment of any nature and in promoting the cause of good citizenship; and

WHEREAS, in accordance with this purpose we shall act on events which may improve local conditions and create more friendly and sympathetic relations in our organization and in the community; and

WHEREAS, the 15th Annual Black Solidarity Fair was organized in 1972 and sponsored this year by Total Youth Services, Inc., Ewari Ellis, President, to provide an opportunity for all blacks to come together and work together toward a common goal while maintaining their own identity and autonomy, to provide blacks with an opportunity to honor and show respect to those who have expended energies for the benefit of blacks, and to provide blacks with a forum to identify problems and develop solutions in the area of economics, social relations, education, politics, culture, health and welfare;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh join with the Hill District Civic Association, the Black Solidarity Fair Committee, Total Youth Services, Inc., and the people in the Hill District, in the celebration of "Community Days" on August 30 and 31, 1986, with the special dual themes of "The Community-It's You" and "Togetherness."

Mrs. Masloff moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Thompson:

I want to thank Mrs. Masloff and Members of Council on behalf of the Civic Association. This is our President, and we are trying our best to really make it a big one, and I hope everyone here will do their best to come up on the Hill and have some fun with us. Thank you very kindly.

Mrs. Masloff presents

No. 1281 WHEREAS, the Ozanam Cultural Center, a facility of the Catholic Diocese of Pittsburgh, has for a number of years provided programs which develop character and foster social and cultural interaction among its associates; and

WHEREAS, the Center recently won the National Amateur Athletic Union (AAU) Junior Olympic championship in the 14 and under girls basketball competition in Roanoke, Virginia; and

WHEREAS, the A.A.U. competition involves thousands of top U.S. child athletes, and is one of the most prestigious sporting events in the country; and

WHEREAS, the members of this team that have achieved this esteemed goals are: Lisa Darkey, All American Team, Amy Gierl, Carrie Bordas, Lisa Fessler, Kristy Nace, Beth Arrowsmith, Kim Kuhn, Nicole Jubera, Barbara Baldwin, Alisa Favero, Maureen McConnell, All American Team, Shannon Davis, Most Valuable Player of the Tournament and All American Team, Jenine Joyce, Rachael Krajc, and Cathy Torchia;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council

hereby extend sincere commendation to the Ozanam Cultural Center 14 and under girls basketball team, and their coaches, Dan Kail and Paul Seneca for their brilliant display of basketball skills in winning the National A.A.U. Junior Olympic championship and for bringing honor and prestige to the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that we congratulate the Center's Director, Carl Kohlman, and his staff for the support and inspiration they have given to these girls in helping them to achieve the honor of being called "Champions."

Mrs. Masloff moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Kohlman:

I'd like to thank City Council for the presentation of this resolution. We're really proud of this group of girls. This is the second National Championship in three years in Junior Olympic Competition; and the kind of competition that's involved is really comparable to Olympic type competition, and we're extremely proud of them.

Judge Johnson is here today because we presented him with a trophy, our Chuck Cooper Community Service Award, which is named in honor of Chuck Cooper, who of course was an All American ball player at Duquesne University, and the first Black ball player in the N.B.A., and did a tremendous amount of community service in the Pittsburgh area, and Judge Johnson was our Awardee for this year. Judge Johnson, has done a lot for our program and we're very proud of that too.

Judge Johnson:

To the President and Members of Council, Mrs. Masloff and Mr. Kohlman and good friends, I'm extremely proud and pleased to be here with these very fine young people this morning. I had the opportunity yesterday afternoon to observe some of them in play out at Reizenstein Middle School and the type of competition that I saw was rough and rugged, but sportsmanship was exemplified throughout and I believe that they exemplify in every regard the type of citizenry that we look to the future for here in America.

I saw them playing hard in steep competition and yet they did it as young ladies and young gentlemen. There was no dirty plays, no roughhousing and they had P.I.A.A. Officials there who were officiating this process and I'm quite certain that we can look forward to nothing but continued future success and progress from these very fine young people.

I'm honored that they honored me to give me the Chuck Cooper Award, and of course since I knew Chuck during his lifetime and had the greatest admiration and respect for him, why I don't if I merit it, but I certainly appreciate it. Thank you.

Mr. Wagner presents

No. 1282 WHEREAS, twelve-hundred (1200) members and friends of the Salvation Army of Western Pennsylvania will celebrate their Divisional Family Congress from August 29, to September 1, 1986 at Pittsburgh's Westin William Penn Hotel; and

WHEREAS, this Labor-Day weekend event will involve the soldiers of the Salvation Army, advisory organizations and the general public,

with the theme of "Celebrating the Family of God;" and

WHEREAS, special guests at the Congress include General and Mrs. Arnold Brown, retired international leaders of the Salvation Army, the Montclair Band and Songsters from the New Jersey Corps, Commissioner and Mrs. Stanley E. Ditmer, newly-designated Territorial Commander and Captain and Mrs. William Francis, Territorial Youth Secretary; and

WHEREAS, the Salvation Army, an international charitable network operating in eighty-six (86) countries worldwide, has provided nearly a century of compassion to the hungry, the homeless and the disadvantaged in the Pittsburgh area with emotional, physical and spiritual support.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Pittsburgh welcomes the distinguished guests, members, and friends of the Salvation Army to Pittsburgh for the celebration of their Divisional Family Congress from August 29 to September 1; and

BE IT FURTHER RESOLVED, that we take this opportunity to thank the Salvation Army for their constant care of needy Pittsburghers over these past, nearly one-hundred (100) years.

Mr. Wagner moved to adopt the resolution.

Mr. Pollock seconded the motion.

Which motion prevailed.

Mr. Wagner:

Mr. President, I'd just like to say that this resolution will be presented at a later date.

Mr. Pollock presents

No. 1283 WHEREAS, on August 23, 1986, the City of Pittsburgh, the Neighborhoods for Living Center of the Urban Redevelopment Authority, Kool-Aid and the Pittsburgh Pirates will be sponsoring an evening at Three Rivers Stadium for the Pirates' game against Atlanta called "The Pirates and Pittsburgh's Neighborhoods...Just Like the Good Ole' Days"; and

WHEREAS, the purpose of this event is to provide an opportunity for City neighborhoods and their baseball and softball teams to celebrate the Pirates and Pittsburgh just like the good ole' days, like mom's apple pie, Kool-Aid, peanuts and popcorn; and

WHEREAS, members of the City's neighborhood baseball and softball teams are urged to wear their uniforms and caps and to bring banners and posters to the game; and

WHEREAS, there will be free tickets, pre-game activities, sing-alongs, the Pirate Parrot, the NeighborFair Bear, the Litter Critter, and a couple of funny clowns; and

WHEREAS, neighborhood participation, team spirit, banners and posters will be judged and prizes such as Pirate caps and Pirate tee-shirts, autographed baseballs, seat cushions, and Kool-Aid tee-shirts will be awarded; and

WHEREAS, whether they win or lose, the 1986 Pirates are an exciting and entertaining team of promising players and admirable role models.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Council of the City of Pittsburgh hereby express their support for "The Pirates and Pittsburgh's Neighborhoods...Just

Like the Good Ole' Days" and urge all baseball and softball players and their families to attend the event and come out and show their support for the Pirates.

Mr. Pollock moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Pollock:

I want to introduce Mary Lou Daniel, Executive Director of the Neighborhoods For Living Center and Steve Greenberg the Public Relations Director for the Pirates, but before doing so I personally want to ask everyone to come out to this event. I think it's really going to be an exciting event and as I said in the resolution that the mark and the judgement of a baseball team should not be determined based on wins and losses, but number one on how exciting and entertaining a team is, and number two on what kind of people that the teams presents, and the 1986 Pirates are not only exciting and entertaining whether they win or lose, but they're quality individuals who are participating in community events and who do have talent, and it's just a matter of it gelling; and come on out on the 23rd and we'll see a team that's going to be challenging for pennants in the next few years.

Mr. Greenberg:

On behalf of the Pittsburgh Pirates, we would like to thank City Council and the City of Pittsburgh for the commitment they've made to this baseball club. We feel that it's very very important for the Pirates to be involved with the specific neighborhoods in the Pittsburgh area. This is one of many programs that we will institute to really

get that involvement. We think there's better days ahead for the Pittsburgh Pirates and we will continue to show our commitment to this City and we appreciate the commitment the City has shown to the Pittsburgh Pirates. So, we hope everyone will come out and really enjoy themselves at the ball game that day. Thank you very much.

Mr. Wagner:

Mr. President, I'd just like to compliment Mr. Greenberg and your staff for the excellent job you've done this year with attendance. I know we're above last year and we have, what, about 14 home games left this year?

Mr. Greenberg:

21 home games left this year.

Mr. Wagner:

That's terrific so therefore, you're optimistic of breaking one million. Hopefully, much more than that, and if we get a lot of City of Pittsburgh people out, employees and residents at that evening, who knows we may be able to get an outstanding crowd.

I'd just also to mention that the lights will be going in on the Sixth Street Bridge and we've allocated \$100,000 to do that, and it's finally going to be taken care of.

Mr. Greenberg:

Thank you very much.

Mr. Wagner:

Thank you.

Ms. Daniel:

I want to thank Mr. Pollock and

the rest of the Members of City Council for this resolution and I also want to thank the Pirates and Steve Greenberg for working with us to get this special day for Pittsburgher's going.

One of the things I know from my own family and my own neighborhood is the kids the boys and girls who play ball in the City fields, in the empty lots, sometimes on the streets really to admire the Pirates, particularly the young Pirates of today; and we want to urge all the team managers, captains, to give us a call we will have tickets available for you on Wednesday. Call us at 391-1850 and we will get tickets to you.

We want the kids and the captains and the parents and the managers to wear some kind of a tee shirt or a hat indicating your neighborhood. The Pirates have told us that they will have the neighborhood names flashing on the scoreboard. We're going to have prizes for banners. We're going to have lots of fun so begin calling us on Wednesday we'll have tickets for you, and everybody come out for the ball game.

These are free tickets. This is the Pirates way of saying thank you to Pittsburgh's neighborhoods. So, you call us and we'll get the tickets to you. The number is 391-1850. See you all at the ball game.

The Chair presents

Bill No. 1284 WHEREAS, the American Labor Movement began over two hundred years ago and has consistently strove to improve the conditions for all working Americans; and

WHEREAS, American labor leaders have throughout history dedicated themselves to this movement;

and

WHEREAS, the first Labor Day Observance took place over a century ago and was established as a Legal Public Holiday in 1894; and

WHEREAS, the United Labor Day Parade Committee intends to reinforce Pittsburgh's commitment to organized labor with a procession in the Golden Triangle under the theme "Let's Put America Back to Work."

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council hereby commend Paul Stackhouse, the President of the Allegheny County Labor Council, the United Labor Day Parade Committee and all labor leaders and working American laborers, and urge our citizens to respectfully observe the United Labor Day Parade on September 1, 1986.

Mr. O'Malley moved to adopt the resolution.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Mr. Stackhouse:

I want to first thank you for this fine proclamation because we're very appreciative of the action that the Council has taken here today. I'd like to say for the edification of some who may not know and I hope they care that not only in 1886 was A.F. of L. founded but in 1935 the C.I.O. was founded, but over and above that we just had some celebration that was in the labor movement the Bakery Confection Workers just celebrated their 100th year, the Steelworkers 50 years, the Building Service Employees 65 years, and obviously at No. 1 we call Pittsburgh

Some Place Special. We have the F.O.P. as Lodge No. 1 and the Pittsburgh Firefighters as Local No. 1 of course the others are smaller groups. They're spin-offs of the organization. We have here the committee, as a matter of fact, that helped to put the work together to make the great success. There was something like 15,000 people march last year and maybe a similar amount watched our parade. In all sincerity I wanted to thank you very very much for this proclamation, because labor is here to stay in spite of what some of the people think. Without labor there is no economy, there's no standard of living, and I want to thank you again to help make us what we are, help us, support us, and our appreciation is yours. Thank you.

Mr. DePasquale:

I just wanted to go on record and I told Mr. Stackhouse and Mr. Pugliano, that I'll miss my first parade in something like 20 years, I'll be in Europe and I won't be back until the 2nd of September, and I regret missing that parade but my congratulations to organized labor in the City of Pittsburgh and I'm proud to say that I've been a part of that for the last 34 years.

The Chair:

Thank you, Jeep. Thank you very much ladies and gentlemen.

Mr. DePasquale moved to excuse Mr. Givens and Michelle Madoff for absence from the meeting.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. DePasquale moved to approve the Minutes from Monday, July 14, 1986.

Mr. Wagner seconded the motion.

Which motion prevailed.

And on the motion of **Mr. O'Malley**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Tuesday, September 2, 1986

No. 33

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Tuesday, September 2, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. DePasquale presented

No. 1285 Resolution further amending Resolution No. 967, effective October 16, 1985, as amended by Resolution No. 241, effective April 2,

1986, entitled: "Providing for an Agreement or Agreements or use existing Agreements, with a Consultant or Consultants for architectural, engineering & graphic design services in connection with the implementation of the Zoo Master Plan; and providing for the payment of the cost thereof," by amending the title to include Construction Management Services and by increasing the total project allocation from \$470,000.00 to \$825,000.00.

Which was read and referred to the Committee on Engineering and Construction.

Mr. DePasquale moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 1286 Resolution providing for the issuance of a warrant in favor of Gannett Fleming Transportation Engineers, Inc., in the amount of \$34,324.42 in payment of Emergency Engineering Services in connection with the Bloomfield Bridge/Melwood Avenue Earth Movement Evaluation, Phase IV Construction, payable from the Bloomfield Bridge Trust Fund. (PRIOR APPROVAL GRANTED)

Also,

No. 1287 Resolution providing for the issuance of a warrant in favor of Dick Enterprises in the amount of \$1,396.11 for providing a flashing arrow board during the partial closing of the Ft. Pitt Boulevard Bridge, Eastbound, while repairing a hinge connection under an Emergency Contract, payable from Code Account EC 86-30. (PRIOR APPROVAL GRANTED)

Also,

No. 1288 Resolution providing for the issuance of a warrant in favor of Green International, Inc. in the amount of \$4,763.25 in payment of Engineering Services in connection with the Emergency Pin Plate repairs of Span 16 - Ft. Pitt Boulevard Bridge, Eastbound, payable from Code Account EC 86-10. (PRIOR APPROVAL GRANTED)

Also,

No. 1289 Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company (Peter J. Nicholson, President) in the amount of \$4,635.65 in payment of Extra Work, being in addition to the original contract price of \$613,744.00 on Controller's Contract No. 27002-F, furnished for the benefit of the City in connection with the Reconstruction of the Monroe Street Wall, payable from Code Account CDPW 83-35. (PRIOR APPROVAL GRANTED)

Also,

No. 1290 Resolution providing for the issuance of a warrant in favor of Trumbull Corporation (Perry J. Dick, President) in the amount of \$2,603.30 in payment of Extra Work, being in addition to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of

the City in connection with Reconstruction of Grant Street, Phase I, payable from the Grant Street Trust Fund. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Also,

No. 1291 Resolution amending Resolution No. 197, effective March 19, 1986, entitled: "Providing for a Contract or Contracts for Construction of Phase 4.0: Tropical Forest Facility of the Pittsburgh Zoo; and providing for the payment of the cost thereof," by increasing the total project from \$400,000.00 to \$2,985,376.93.

Which was read and referred to the Committee on Engineering and Construction.

Mr. DePasquale moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 1292 Resolution further amending Resolution No. 279, effective March 26, 1981, as amended, entitled: "Providing for a Contract or Contracts for the Reconstruction of Streets, Lighting and Waterlines for various areas of Pittsburgh's North Side in connection with the UDAG Program," by reducing the total project allocation from \$537,145.31 to \$516,812.17, chargeable to and payable from Code Account North Side UDAG Program.

Also,

No. 1293 Resolution providing for a Contract or Contract, or use of existing Contracts, for the Renovations of No. 11 E.M.S./No. 1 Rescue Headquarters at a cost not to exceed \$110,000.00, chargeable to and payable from Code Account EC 85-50.

Also,

No. 1294 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of the North Side Public Safety Building Air Conditioning Cooling Tower at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account EC 86-78.

Also,

No. 1295 Resolution providing for a Contract or Contracts or use of existing Contracts, for the Rehabilitation and Improvements to the Thomas Boulevard and McPherson Boulevard Traffic Islands at a cost not to exceed \$130,000.00, chargeable to and payable from Code Account EC 86-24.

Also,

No. 1296 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting authorization for Richard Wharton to attend the Construction Claims Seminar in Boston, Massachusetts from October 20-21, 1986, at a cost not to exceed \$1,100.00, payable from Code Account No. 1482, Miscellaneous Services.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 1297 Resolution granting unto DeVos, Inc., their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a security fence across a portion of the roadway of Edwards Way in the 16th Ward of the City of Pittsburgh.

Also,

No. 1298 Resolution granting unto Robert and Michelle Streb, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, off-street parking and recreational area on the western 25' portion of the right-of-way of Mt. Joseph Street in the 29th Ward of the City of Pittsburgh.

Also,

No. 1299 Resolution granting unto Mr. and Mrs. Michael R. McCarthy, 1827 Buena Vista Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an observation deck over a portion of Unnamed Way in the 25th Ward of the City of Pittsburgh.

Also,

No. 1300 An Ordinance amending the Pittsburgh Code, Title Four-Public Places and property, Article I-Streets and Sidewalks, Chapter 416-Obstructions, Sections 416.02-Permit Fees and Minor Street Obstructions and 416.04-Permit Fee for Street Encroachments and Major Street Obstructions: by increasing the Permit Fees.

Also,

No. 1301 Resolution adopting

Official Sewage Facilities Plan for -
North Homewood Estates Plan.

Also,

No. 1302 Communication from James N. Walker, Director, Department of Environmental Services, requesting authorization for Robert Lewis and Paul Watt to attend the Government Refuse Collection and Disposal Association's Eastern Regional Solid Waste Symposium and Equipment show in Timonium, Maryland from October 15-17, 1986, at a cost not to exceed \$900.00, payable from Code Account No. 1176.

Also,

No. 1303 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting authorization for himself to attend the Pennsylvania Winter Road Maintenance Workshop in White Haven, PA, from September 10-12, 1986, at a cost not to exceed \$690.00, payable from Code Account No. 1502, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1304 Communication from George Jacoby, Director, Department of General Services, requesting authorization for Barbara Burger to attend the National Safety Council's Congress and Exposition in Chicago, Illinois from October 19-23, 1986, at a cost not to exceed \$1,100.00, payable from Code Account No. 1128, Miscellaneous Services.

Also,

No. 1305 Communication from George Jacoby, Director, Department of

General Services, requesting authorization for Barbara Burger to attend the Western Pennsylvania Safety Council's "Safety Management Techniques" Certification Course in Monroeville, PA, from September 15-19, 1986, at a cost not to exceed \$600.00, payable from Code Account No. 1128, Miscellaneous Services.

Which were read and referred to the Committee on General Services.

Michelle Madoff presented

No. 1306 Resolution transferring \$35,000.00 from Code Account 1970, Salaries and Wages, Purification and Pumping to Code Account 1971, Premium Pay, Purification and Pumping, Department of Water. The transfer will cover actual premium pay costs for the Water Department's Purification & Pumping Division due to the need to use Plant Operators in Acting Foreman positions, and fill in for a vacant Stationary Engineering position.

Which was read and referred to the Committee on Finance.

Michelle Madoff:

Point of order, we got out bills today and this bill is a request to transfer salaries. As you know, you and I have chatted, but I had requested that money be put into the budget and I believe it was substantive for the hiring of an engineer. That job was never filled.

I see no reason for this bill since we can just transfer the money for the engineer that was never hired, which is in excess of \$35,000. How do you want me to handle this?

The Chair:

Why don't you introduce the piece of legislation and then when —

Michelle Madoff:

They're asking to waive Rule 8. I don't want to waive Rule 8, I don't want the bill. What do I do?

The Chair:

Why don't you introduce it, waive Rule 8, and then we could discuss it on Wednesday and if you want to amend it to take the money off the other thing then we can do it that way.

Michelle Madoff:

Would it be proper to have someone else introduce it since I'm opposing the bill? That was mentioned by a colleague.

The Chair:

No, it's fine. That's your committee; just introduce it and oppose it.

Michelle Madoff:

Well I'm introducing it simply for discussion.

Thank you sir.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mrs. Masloff presented

No. 1307 Resolution authorizing the issuance of a warrant in favor of Hollowood Music & Sound Company, in the amount of \$16,567.00 in payment for Replacement of Stolen Audio-Visual Equipment furnished for the benefit of the City, chargeable to and payable from Code Account 1838, Miscellaneous Services in the Department of Parks and Recreation. (PRIOR APPROVAL GRANTED)

Also,

No. 1308 Resolution authorizing the issuance of a warrant in favor of Fort Pitt Fence in the amount of \$1,175.00 in payment for safety fence furnished for the benefit of the City, chargeable to and payable from Code Account 1807, Repairs, in the Department of Parks and Recreation.

Also,

No. 1309 Resolution authorizing the issuance of a warrant in favor of Machinery Rental Corporation in the amount of \$1,800.00 in payment for the rental of a roller furnished for the benefit of the City, chargeable to and payable from Code Account 1801, Miscellaneous Services, Department of Parks and Recreation.

Also,

No. 1310 Resolution authorizing the issuance of a warrant in favor of American Contractors Equipment Company in the amount of \$1,495.00 in payment for freight for Cranes for Regatta Services furnished for the benefit of the City, chargeable to and payable from Code Account 1837, Department of Parks and Recreation.

Also,

No. 1311 Resolution authorizing the issuance of a warrant in favor of Bellbird, Inc. in the amount of \$1,650.00 in payment for the purchase of birds furnished for the benefit of the City, chargeable to and payable from Code Account ATF (Aviary Trust Fund), Administration, Department of Parks and Recreation. Prior approval for this purchase was granted on Council Bill No. 260 and is to be paid from the \$10,000.00 fund.

Also,

No. 1312 Resolution authorizing the issuance of a warrant in favor of Hendee Zoological Co. II in the amount of \$1,650.00 in payment for the purchase of birds furnished for the benefit of the City, chargeable to and payable from Code Account ATF (Aviary Trust Fund), Administration in the Department of Parks and Recreation. Prior approval for this purchase was granted on Council Bill No. 260 and is to be paid from the \$10,000.00 fund.

Also,

No. 1313 Resolution authorizing the issuance of a warrant in favor of the American Association of Zoological Parks and Aquariums (AAZPA), in the amount of \$1,657.87, in payment for the expenses for the Visiting Committee to inspect the Pittsburgh Zoo as part of our application for accreditation, furnished for the benefit of the City, chargeable to and payable from the Pittsburgh Zoo Membership Trust Fund (PZMTF), in the Department of Parks and Recreation. (PRIOR APPROVAL GRANTED)

Also,

No. 1314 Resolution transferring \$175,000.00 from Special Parks Program Trust Fund (SPPTF), to Code Account 1803, Utilities, in the Department of

Parks and Recreation.

Which were severally read and referred to the Committee on Finance.

Mr. O'Malley presented

No. 1315 Resolution transferring the sum of \$1,500.00 from Code Account No. 46, Judgments to Code Account No. 1074-1, Premium Pay. This transfer is needed in order to pay for anticipated overtime for the balance of 1986.

Which was read and referred to the Committee on Finance.

Mr. O'Malley moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Pollock seconded the motion.

Which motion prevailed.

Also,

No. 1316 Resolution providing for the issuance of a \$1,500.00 warrant in favor of Michael & Mary Moeslein in settlement of claim for property damage due to a water main break, payable from Code Account No. 46, Judgments.

Also,

No. 1317 Resolution providing for an Agreement or Agreements with a professional consulting firm to prepare the annual defense spending report for the City of Pittsburgh, for a period of three (3) years covering 1987, 1988 and 1989, inclusive, at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1063, Miscellaneous Services, Department of Finance.

Also,

No. 1318 Resolution providing for the City Controller & Director of General Services to enter into a Contract or Contracts, or for the use of existing Contracts, to purchase & install work stations and various office equipment for Controller's Office, at a cost not to exceed \$40,000.00, chargeable to and payable from Code Account No. 1051, Equipment.

Also,

No. 1319 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 15th & 30th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, Block and Lot 55-P-94 (4526 Monongahela Avenue), & Block and Lot 14-R-163 (116 Rochelle Street), at a cost not to exceed \$1.00 plus all necessary and incidental expenses in connection with such acquisition.

Also,

No. 1320 Communication from Richard S. Caliguri, Mayor, City of Pittsburgh, requesting authorization for George R. Whitmer to attend meetings with the State Budget Office in Harrisburg, PA on August 5, 1986, at a cost not to exceed \$350.00, payable from Code Account No. 1017, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Also,

No. 1321 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Dave Farley to attend the U.S. Conference of Mayor's Employment and

Training Council Board Meeting in Chicago, IL from Sept. 14-16, 1986, at a cost not to exceed \$800.00, payable from JTPA-1 Trust Fund. (PRIOR APPROVAL GRANTED)

Also,

No. 1322 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for David Farley to attend the regular meeting of the PA State Job Training Coordinating Council in Harrisburg, PA on Aug. 27, 1986, at a cost not to exceed \$350.00, payable from JTPA-1 Trust Fund. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 1323 Resolution approving the Homewood South Proposal, Dated July, 1986, including Modification No. 3 to the Redevelopment Area Plan, for redevelopment activities in Redevelopment Area No. 34, in the 13th Ward of the City of Pittsburgh.

Also,

No. 1324 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the purpose of assisting the City in preparing and implementing a two-way communications process for the purpose of citizen involvement in planning, implementing and evaluating City programs and projects including but not limited to the Six-Year Development Program, the Community Development Block Grant Application and the Neighborhood Revitalization Program, and for providing planning and architectural assistance, at a cost not to exceed \$375,000.00, chargeable to and payable from CP 86-02 Citizen

Participation and Technical Assistance, including Architects Workshop CTAC, and CDC's.

Also,

No. 1325 Resolution authorizing a Third Amendatory Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the Homewood South Redevelopment Project allowing for the dedication to the City of Pittsburgh or new or widened streets, sewers, waterlines: pedestrian and public utility easements: and to delete the provisions for dedication of land to the City for public park purposes, all in accordance with the Amended Proposal and Modification No. 3. The Authority is considering a proposal for the development of twenty-seven (27) townhouses in the southeast portion of the Homewood South Project Area, adjacent to the PAT Busway.

Also,

No. 1326 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 13th Ward of the City of Pittsburgh owned by the Port Authority of Allegheny County, and designated as part of Block and Lot 174-N-181 (N. Homewood Avenue at East PATway) in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund for the Fair Market Value plus all necessary and incidental expenses. This property is being acquired to complete a site for the development of twenty-seven (27) townhouse units in the Homewood South area.

Also,

No. 1327 Resolution approving an Agreement by and between Urban Redevelopment Authority of Pittsburgh and Charles E. Davis Construction

Company, Inc. in which URA of Pittsburgh will provide financial assistance to the purchasers of houses to be constructed in the 13th Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program. The redeveloper is a Pennsylvania Corporation. The Officer is Charles E. Davis, President and Secretary.

Also,

No. 1328 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Charles E. Davis Construction Company, Inc. for the sale of Parcels 13, 13A and 13B in the 13th Ward of the City of Pittsburgh in Redevelopment Area No. 34 for the sum of \$1,000.00 per dwelling unit (TOWNHOUSE CONSTRUCTION). The redeveloper is a Pennsylvania Corporation. The Officer is Charles E. Davis, President and Secretary.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Also,

No. 1329 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 6 by changing: From "R4" Multiple-Family Residence District to "C3" Commercial District certain property located on the southerly side of

JACKSONIA STREET between
BRIGHTON ROAD and BUENA VISTA
STREET, 25th Ward.

Also,

No. 1330 Resolution providing for an Agreement or Agreements with the Christian Housing Inc. as sponsor for Beechview Manor Inc. and the Urban Redevelopment Authority for site clearance and site improvement for the elderly and handicapped, at a cost not to exceed \$50,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program "Unspecified Local Option" (CC-86-01).

Also,

No. 1331 Resolution providing for an Agreement or Agreements with the South Side Local Development Company, located at 1141 East Carson Street, to provide support for the Main Street Program, at a cost not to exceed \$35,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Option", (CC-86-01).

Also,

No. 1332 Resolution providing for an Agreement or Agreements with the Hunger Action Coalition for administrative assistance and operating funds for their Penn Avenue Office, at a cost not to exceed \$50,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Options", (CC-86-01).

Also,

No. 1333 Resolution providing for an Agreement or Agreements with Pittsburgh Action Against Rape for professional services in connection with

their counseling program for victims of sexual abuse, at a cost not to exceed \$50,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Options", (CC-86-01).

Also,

No. 1334 Resolution providing for an Agreement or Agreements with the Pittsburgh Community Services, Inc. for the implementation of the "Home Security Program", including Block Watch Organizers, and the installation of locks and smoke detectors in the City, at a cost not to exceed \$320,000.00.

Also,

No. 1335 Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the Community Self-Help Beautification and Community Gardening Programs on highly visible vacant lots in Community Development Neighborhoods, at a cost not to exceed \$50,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Options", (CC-86-01).

Also,

No. 1336 Resolution providing for an Agreement or Agreements with Legal Advocacy for Women, an organization that provides counseling and information for the low-income women experiencing problems in obtaining child support payments, at a cost not to exceed \$40,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Options", (CC-86-01).

Also,

No. 1337 Resolution providing for an Agreement or Agreements with the

Center for Victims of Violent Crime to provide administrative support to the Agency, at a cost not to exceed \$25,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Options", (CC-86-01).

Also,

No. 1338 Resolution providing for an Agreement or Agreements with Pittsburgh Community Services, Inc. located at 1835 Centre Avenue for the provision of administrative assistance in carrying out programs for public services to low and moderate income persons, at a cost not to exceed \$243,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Option", (CC-86-01).

Also,

No. 1339 Resolution providing for an Agreement or Agreements with Elder-Ado, Inc. for housing counseling services to assist elderly and low income persons, at a cost not to exceed \$25,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Options", (CC-86-01).

Also,

No. 1340 Resolution providing for an Agreement or Agreements with the Homewood-Brushton Citizens Renewal Council and the Urban Redevelopment Authority for the rehabilitation of a structure for use as a multi-purpose recreation center, at a cost not to exceed \$55,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Options", (CC-86-01).

Also,

No. 1341 Resolution providing for an Agreement or Agreements with the Parental Stress Center Inc., to provide administrative support to the Agency, at a cost not to exceed \$27,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Options", (CC-86-01).

Also,

No. 1342 Resolution providing for an Agreement or Agreements with the Pittsburgh Mediation Center, Inc. for administrative costs in the operation of their program aimed at improving/expanding mediation of disputes, at a cost not to exceed \$15,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Option", (CC-86-01).

Also,

No. 1343 Resolution providing for an Agreement or Agreements with Community-Based Organizations for community and economic development planning assistance in various neighborhoods in the City, at a cost not to exceed \$200,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Option", (CC-86-01).

Also,

No. 1344 Resolution providing for an Agreement or Agreements with Ursuline Center for administrative support in operating programs serving elderly, homebound elderly, unemployed, disabled, and child care center, at a cost not to exceed \$35,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Option", (CC-86-01).

Also,

No. 1345 Resolution providing for an Agreement or Agreements with Freedom Unlimited and the Urban Redevelopment Authority for the renovation of a facility located at 2201-2203 Wylie Avenue for community group office space, at a cost not to exceed \$40,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Option", (CC-86-01).

Also,

No. 1346 Resolution providing for an Agreement or Agreements with Horizon Homes, Inc. and the Urban Redevelopment Authority for the rehabilitation of a building for additional office space located at 5614 Elgin Street, at a cost not to exceed \$30,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Option", (CC-86-01).

Also,

No. 1347 Resolution providing for an Agreement or Agreements with the Homewood Brushton Community Improvement Association and the Urban Redevelopment Authority of Pittsburgh for the rehabilitation of a facility to expand the organization's social services program and provide a domiciliary care facility at 1007 Blackadore Street, at a cost not to exceed \$75,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Option", (CC-86-01).

Also,

No. 1348 Resolution providing for an Agreement or Agreements with the Hill House Association of Pittsburgh and

the Urban Redevelopment Authority for renovation of the building at 2038 Bedford Avenue, at a cost not to exceed \$27,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Option", (CC-86-01).

Also,

No. 1349 Resolution providing for an Agreement or Agreements with the Pittsburgh Opportunities Industrialization Center, Inc. and the Urban Redevelopment Authority for the rehabilitation of their Fifth Avenue and Forbes Avenue buildings, at a cost not to exceed \$40,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Option", (CC-86-01).

Also,

No. 1350 Resolution providing for an Agreement or Agreements with the Perry Hilltop Citizen's Council for the purchase of a van to transport/deliver food to low and moderate income families, at a cost not to exceed \$15,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Option", (CC-86-01).

Also,

No. 1351 Resolution providing for an Agreement or Agreements with Centre Avenue YMCA and the Urban Redevelopment Authority for the purpose of developing a recreation/tot lot area on YMCA property, at a cost not to exceed \$20,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Option", (CC-86-01).

Also,

No. 1352 Resolution providing for an Agreement or Agreements with an agency or agencies to implement and coordinate the "Pittsburgh Literacy Initiative", a pilot project aimed at promoting healthy parent/child relationships in low-moderate income families, at a cost not to exceed \$60,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Option", (CC-86-01).

Also,

No. 1353 Resolution providing for an Agreement or Agreements with the Hill District Citizens Development Corporation and the Urban Redevelopment Authority for the rehabilitation of a building for additional office space, at a cost not to exceed \$20,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Option", (CC-86-01).

Also,

No. 1354 Resolution providing for the implementation of a Residential Permit Parking Program in the Bloomfield Community pursuant to Pittsburgh Code, Chapter 549.

Also,

No. 1355 Communication from Robert Lurcott, Director, Department of City Planning, requesting authorization for himself to attend the Fourth Annual Conference, Urban Waterfronts '86 in Washington, D.C. from September 25-27, 1986, at a cost not to exceed \$700.00, payable from Code Account No. 1103, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Planning, Housing

and Development.

Mr. Wagner presented

No. 1356 Resolution providing for the issuance of a warrant in favor of the International Business Machines Corp., P.O. Box 12147, Philadelphia, PA 19105, in the amount of \$2,118.00, in payment for three (3) months rental of equipment furnished for the benefit of the City, chargeable to and payable from the Department of Public Safety-Third Party Payers, Code Account (DPSTPP).

Also,

No. 1357 Resolution providing for the issuance of a warrant in favor of Mary Metzler, Certified Document Examiner, R.D. 2, Box 394, Oakdale, PA 15071, in the amount of \$875.00 for Laboratory Examination, Pre-Trial Conferences and Reports to prepare for a trial, chargeable to and payable from the Department of Public Safety, Bureau of Police, Code Account (DPSTPP).

Which were read and referred to the Committee on Finance.

Also,

No. 1358 An Ordinance supplementing the Pittsburgh Code, Title Eight, "Fire Prevention", Chapter 803 "Amendments", Article 4, "Fire Protection Systems", Section F-410-0 "Fire Alarm Systems", by adding Subsection F-410.4 "Candella System Fee", which provides that any person who has a Candella Alarm System installed in their building shall be required to pay their annual service fee to the City by December 31, of the preceding year.

Also,

No. 1359 Communication from John Norton, Director, Department of

Public Safety, requesting authorization for Paul Imhoff, Chief, Bureau of Building Inspection, to attend the Eighth Annual Education & Research Conference of the Association of Major City Building Officials (AMCBO) to be held at the Pointe at Tapatio, Phoenix, Arizona, September 13-21, 1986, at a cost not to exceed \$850.00, payable from Code Account No. 1476, Miscellaneous Services, Department of Public Safety, Bureau of Building Inspection.

Also,

No. 1360 Communication from John Norton, Director, Department of Public Safety, requesting authorization for himself and Commander Chester Howard to attend the 27th Annual Drug Conference and Training Institute in Washington, D.C. from August 24-29, 1986, at a cost not to exceed \$1,630.00, payable from the Department of Public Safety-Third Party Payers, Code Account DPSTPP. (PRIOR APPROVAL GRANTED)

Michelle Madoff:

What's the date on that?

Linda Johnson:

August 24th through the 29th. Prior approval granted.

Michelle Madoff:

So it's gone, it's after the fact.

The Chair:

Prior approval was granted.

Michelle Madoff:

The reason I was asking is that we did mention that and it has been taken care of and it's a very important

meeting.

The Chair:

Michelle, ask these questions on Wednesday. We're just introducing them now.

Michelle Madoff:

Mr. Woods, point of order. I cannot get the information if I don't know what the item is and I don't get the copies of the bills until too late. If I know what it is I can go ask appropriate questions.

The Chair:

No, everyone has copies of these bills but we'll discuss them --

Michelle Madoff:

No they don't.

The Chair:

Yes they do and we will discuss them next Wednesday.

Also,

No. 1361 Communication from John Norton, Director, Department of Public Safety, requesting authorization for Robert McCaughan, Supervisor, Rescue Division, Emergency Medical Services, Department of Public Safety, to attend the Response '86 Conference in Reno, Nevada from September 25-28, 1986, at a cost not to exceed \$1,050.00, payable from Code Account EMNEAS.

Also,

No. 1362 Communication from John Norton, Director, Department of Public Safety, requesting permission for Commander Gwendolyn Elliott, Detective Ophelia Coleman, Police

Officers Virginia Beck, Carl Lewis, Marianne Polk, Nancy Turner and Florence Hunt, Police Bureau, Department of Public Safety to attend a training seminar August 16, 1986 at the West Park Hotel in Rosslyn, Virginia, at a cost not to exceed \$1,000.00, payable from Code Account DPSTPP. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Safety.

The Chair presented

No. 1363 Petition from the residents of the City of Pittsburgh, requesting a public hearing before City Council, concerning the City's construction of a ballfield adjacent to St. Boniface Church on East Street. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Also,

No. 1364 Communication from Ronald C. Schmeiser, Director, Department of Finance, submitting a report of collateral security pledged by City Depositories to secure same as of July 31, 1986.

Also,

No. 1365 Communication from Thomas Flaherty, City Controller, submitting the Fiscal Audit of the Permit Office, Department of Public Works for the years ending December 31, 1985, 1984, and 1983.

Also,

No. 1366 Communication from Thomas Flaherty, City Controller, submitting the Fiscal Audit of the Pittsburgh Zoo, Department of Parks & Recreation for the years ending December 31, 1985 and 1984.

Also,

No. 1367 Communication from Thomas Flaherty, City Controller, submitting the Fiscal Audit of Phipps Conservatory, Department of Parks and Recreation, for the years ending December 31, 1985, 1984 and 1983.

Which were severally read, received and filed.

MOTIONS AND RESOLUTIONS

The Chair:

Could we have Dave Glavin come up here please?

The Chair presents

No. 1368 WHEREAS, organized labor has always led the fight to improve the lot of all American workers; and,

WHEREAS, hundreds of thousands of American jobs have been lost to foreign imports in the name of "free trade"; and,

WHEREAS, it is more important than ever to buy the products and services produced in America by American men and women; and,

WHEREAS, products and services identified by a Union Label, Shop Card, Store Card or Service Button are guaranteed to be made in America;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby proclaim the week of September 1 - 6, 1986, as UNION LABEL WEEK in the City of Pittsburgh to honor those distinguished emblems of America's working men and women.

Mr. O'Malley moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Michelle Madoff:

Discussion. I believe there are certain communities, and perhaps you can help me, sir, where referendums have been put on the ballot and it has become law that a certain portion of City purchases must be by American. Is that not so?

Mr. Glavin:

That could be very true.

Michelle Madoff:

Is anybody on this Council aware of it?

You know, I think these resolutions are wonderful; they get us lots of votes, and I don't mean that to you, Ben, it's not a slap, because everybody on this Council brings in somebody who has a baseball team or somebody who is the great female basketball hitter at school and somebody has done something wonderful in the church and their community and they say their recognized. It's a lot of rhetoric. We should be dealing with very serious business and this is very serious business.

Mr. Glavin:

It certainly is.

Michelle Madoff:

And very seriously, I think this is very nice but if we are really committed to doing something about the week, maybe this Council ought to be

considering a portion of the purchases that we make in this City to be, by law, maybe not the lowest bid but by American.

I was away and I came back and I read that our Controller had had a press conference and it had all kinds of things from paper clips to toilet tissue, saying it was not bought in America and we're talking about keeping jobs here. I have personally reviewed the purchases made by the City a number of years ago, I got a complete list, it would take up this whole room, and we go with the lowest bidder. Most of our purchases are not even City purchases. Yes, services are but basically the purchases are not even keeping jobs in the City.

Mr. Givens, for a very long time, has said that there should be some mechanism in which we can keep jobs for people in the City and I wholeheartedly agree with him. That should not be confused with minority, veterans and women having a portion of the jobs. We should take them as separate and apart entities. But there's just no doubt in my mind that it's all nice and well to have a resolution unless we're going to do something and I would hope that your organization or the organizations that you represent might come back, review what's going on around the country, and come back and make a suggestion to us as to what kind of referendum you would like on the ballot and give it to Mr. Woods; I believe he would be receptive and so would this Council.

I don't believe that we can practice protectionism because I think some of the things coming in from other countries — I don't think there's a car made today that doesn't have foreign parts in it and perhaps the backlash, as Mr. Reagan feels, might be very harmful. But I think there should be what I call a laughing fortune teller, a

happy medium. Maybe we need something that's going to be more than just a resolution for you.

Mr. Glavin:

I appreciate your remarks, Mrs. Madoff —

Michelle Madoff:

You may call me Michelle.

Mr. Glavin:

Michelle, fine. We are doing the same type of things across the country that you're talking about. It is a very serious matter and the proclamation is very much appreciated coming from this Council of the City of Pittsburgh. I want to thank every person who voted for it and you, Mr. Woods, as Chairman. Thank you very much.

Mr. Givens:

I was happy to enjoin our President, Ben Woods, in presenting this resolution to the labor movement in the City of Pittsburgh. As one of my colleagues so stated, I do buy Made in the USA. I feel it's very important that we here in this City and this County, in fact this Country, believe in our own products. That's why maybe there is that problem of a foreign trade balance.

But I think, and the fact that this was the seat of the labor movement right here in Allegheny County that it's a great leadership that you have represented, David, and also the Allegheny Labor Council, that I'm sure that we will become competitive and what many people are calling that world market out there. In fact, they're looking at us, they're looking at this country and if they look very deeply into this country they're going to have to look

at Allegheny County and Pittsburgh and say, "Well, you started it, you gave this world the industrial revolution." Now, how are we going to change that or what are we going to do to improve that so our people here in Allegheny County can be competitive in that world market. I know you have that leadership, David, and I want you to go back to the Labor Council when this has been presented and tell them that we are behind you and that I do buy those labels and I have never been dissatisfied with them in all my life.

Mr. Glavin:

It's very kind of you to say that, Dick, and I appreciate it and I will take the message back to the Council.

Michelle Madoff:

Give them my message too.

Mr. Glavin:

You message also, Michelle.

Mr. DePasquale:

For the benefit of the members of Council, the association of Mr. Glavin and I go back too many years to even repeat. I would like Council to know that it was Mr. Glavin's father, Dave Glavin, Sr., who was one of the founders of Servers and Employers International Union, was the first President of Local 29 in which Dave now serves as his successor and is doing a wonderful job.

Dave, you know how I feel about you and all the guys in 29. I happen to be a Local President of service employees myself over at the ballpark and I have a close association with these people and they're wonderful and they have done a terrific job. They're hurting right now, hurting like most, and we just have to

hang in there.

Mr. Wagner:

Mr. Glavin, I'd just like to compliment all of those who were involved yesterday in the Labor Day Parade, it was an excellent turn-out, and also all the people that attended, not only the Allegheny County Labor Council but also I understand Pat Landy chaired it and he did an excellent job also and you're shooting to have a better one next year.

Mr. Glavin:

Thank you very much, Jack. We were so proud of that parade yesterday, and, if I may, I'd like to make a few remarks, Mr. Chairman. It was a grand show for labor; we need that kind of thing not only in Pittsburgh but all over the country to show them that labor is still a viable, very viable part of this country. As you know, sitting here, if it wasn't for labor, we wouldn't have a country at all because all of you, and everything that we've all inherited, that's what it's all about.

It's part of this proclamation, under the Union label situation, it's buy American, certainly. This imbalance of imports and exports certainly is a great problem. When the theme of that parade yesterday was "Put America Back To Work", that's what has to hit home to everybody.

Thank you very much. I didn't expect to take up so much of your time but it feels like family here.

The Chair:

Thank you, Dave.

Mr. Wagner presents

No. 1369 WHEREAS, Sharing & Caring, Inc. is a non-profit organization that works tirelessly to serve the interests of hospitalized veterans; and

WHEREAS, this week the organization is taking approximately 550 hospitalized veterans on boat cruises along Pittsburgh's three rivers; and

WHEREAS, dozens of Pittsburghers have contributed time and money enabling Sharing & Caring, Inc. to undertake this and other events for hospitalized veterans;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares September 2, 3, and 4, 1986 as "Sharing and Caring Days" in Pittsburgh in tribute to the work of Sharing & Caring, Inc. and to remind all Pittsburghers of our hospitalized veterans.

Mr. Wagner moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Wagner:

Mr. President, I'd just like to comment that I appreciate Council's support of this organization and the reason why no one could be here today is that they're actually out on the boat taking veterans for the next three days on boat rides, veterans that are hospitalized, today, tomorrow and Thursday, and any member of Council, if they would like, could join either tomorrow or Thursday by being at the Gateway Clipper Fleet at 10:00 or 10:30 in the morning.

The Chair:

Thank you, Mr. Wagner.

Michelle Madoff:

While I was on vacation I happened to be staying at a hotel in Washington called the Washington Sheraton, I believe, and there was a meeting in Washington of the American Psychological Association. I heard, and please don't hold me to this, but I understand there were 63,000 people staying at the Mayflower, the Sheraton -- I think they took over Washington.

They have a newspaper that I happened to pick up that's put out by the American Society of Association Executives. The American Society of Association Executives means any association, whether it's a medical association or a food association or a government association or an automobile association. All associations belong to this entity. I just briefly looked through it and didn't see any on Pittsburgh. So, I asked my administrative assistant, Chris Smith, to look at it and he verified that indeed there was not one ad. Now, this goes to every association in the country.

The major meeting, the exposition meeting held here was August 9th through 13th, and I'm confusing the two but I'm making a point that 63,000 people went to Washington because the hotels et cetera were there, and it was in the summertime. Maybe we won't get one that big but let me give you some of the cities that are comparable in size to Pittsburgh that ran ads saying come to our town for conventions. Oklahoma City Convention Bureau; Greater Milwaukee Convention and Visitors Bureau; Cedar Rapids Area Convention and Visitors Bureau; Springfield Convention and Visitors Bureau; Irving, Texas Convention and Visitors Bureau;

San Juan Puerto Rico Convention Bureau; Nashville Convention Center; Fort Lauderdale Embassy Hotels; Washington, D.C. Sheraton Hotel; Washington Convention Center; Daytona Beach Resort Area; Wichita Convention and Visitors Bureau; Alberta, Canada.

I don't believe that we're not in it. And here we have a representative for the labor movement and saying we need to bring some business to the City, we want to keep American products. If any city is hurting, we're hurting about as much as anybody with the underemployed and the unemployed, and I don't believe that nothing was run saying come to our City.

Now, I'm going to see that this gets to the appropriate people on the Task Force and possibly with your help we can get the word out. But one of the reasons that I brought this to the attention of this Committee is that in the findings of the Task Force in the two separate reports, what came out of the meeting seems to be, and I've been planning to write something for both newspapers, the feeling seems to be that the Committee didn't come up with a decision, they didn't come up with a consensus. They said, well, there's all these lovely projects. What they didn't understand is when we went into it we thought there wasn't enough money and we found out there was \$90.3 million. I understand that figure has changed somewhat but that was for infrastructure to let everything flower, to start turning this City around and doing all the infrastructure for all the communities.

But one of the things that was stressed over and over and over and over again by the experts was that you have to stop selling the steak and start selling the sizzle, that we have to get some public relations going, spend substantive dollars on P.R. Here we have the

National Association of Associations and we don't have an ad in it. I'm very disturbed about it; I wanted to share it with my colleagues. And I want to tell you that yes, the two committees, one was on finance and the other one was on projects, did come up with a recommendation, the recommendation was indeed the Riverside Project because it was the first one ready to go, but we said let's do all of them. If you did a priority list that was on the priority and the papers are saying, oh, do them all, they didn't pick one. That's not true, we did pick one, and I would just like to share this information with you.

Mr. Givens:

I'd like to make some comments on Michelle's remarks and the fact that I now sit on the Board of our Civic Arena and Convention Center. Our Convention Center is not large enough to handle this type of convention. We do advertise in all agencies where those particular groups can fit into our Convention Center. This is one of those conventions that we just cannot handle.

Now, for your edification here on Council and others, there are a lot of discussions underway right now on the present expansion of our existing Convention Center. I think the onslaught of additional hotels that will be built here in the City of Pittsburgh will then compliment any type of convention coming in of this size and rightfully so. It's something that we must do. But for us to advertise, Michelle, in something like this, would be no good because we cannot serve the people.

Michelle Madoff:

I don't think you understood me.

Mr. Givens:

I thought you so indicated that you wanted us to advertise in that. Did you not?

Michelle Madoff:

My point was that while I was there there was a convention of that magnitude. In the summertime you could probably have a very, very large convention, maybe not of that magnitude because a lot of the hotels are empty. I wasn't saying to advertise for the American Psychological Association, I was saying that this is a newspaper that goes to every association, whether it's a small one or a big one or a medium one or it's 1000 people or 5000 people. We didn't have an ad. That's my point. We should have one.

Mr. Givens:

I agree with you again but we have a very limited budget that we can use for advertising and --

Michelle Madoff:

It better get bigger.

Mr. Givens:

I agree with you. That budget should be increased because only through that form of advertising can the people out there know that we're here and functioning and have a good city to come to.

Mr. O'Malley moved to approve the Minutes of Monday, July 21, 1986; Monday, July 28, 1986; and Monday, August 4, 1986.

Mr. Wagner seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Monday, September 8, 1986

No. 34

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA

Monday, September 8, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

We're going to deviate from our regular order of business for a moment. We have one resolution that we would like to have presented now; we have

some people here.

Mr. Givens:

We have coming down to accept this resolution Bob Croneberger and he is the Director of the Carnegie Library of the City of Pittsburgh.

Mr. Givens presents

No. 1402 WHEREAS, on September 8, 1986, President Robert C. Wilburn, of Carnegie Institute and Library of Pittsburgh, officially announced a name change to "The Carnegie"; and

WHEREAS, "The Carnegie" will strengthen their identity as Pittsburgh's major cultural complex; and

WHEREAS, "The Carnegie" includes the Library of Pittsburgh, the Museum of Art, the Museum of Natural History, and the Music Hall, and is dedicated to the understanding and enjoyment of literature, art, science, and music; and

WHEREAS, a new logo, comprised of four building blocks representing the four disciplines to which "The Carnegie" is dedicated;

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh join with President Robert C. Wilburn and the entire Carnegie family in proclaiming and recognizing "The Carnegie" as one of America's great

cultural centers, serving all the citizens of the City of Pittsburgh as well as national and international audiences.

Mr. Givens moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Givens:

I join Mark Pollock, Jack Wagner, President Ben Woods and myself who sit on the Carnegie Board out there and if Bob would give us a few words of wisdom of what this means to all of us. Thank you Bob.

Mr. Croneberger:

On behalf of the Carnegie and its President, Bob Wilburn, it's staff, officers and volunteers, I want to thank you, Councilman Givens, and all Councilmembers, for this proclamation, this resolution.

The Carnegie is perhaps this nation's most outstanding example of public and private sector partnership. The library, as you all know, is 95 percent funded by public funds, the City, the County and the State, whereas the museums and the music hall are about 95 percent funded by private funds. This kind of partnership allows us to enter into what we call an environment of life-long learning for all of the citizens of Pittsburgh.

We appreciate this resolution; we intent to rededicate ourselves through this reorganization to that spirit of life-long learning, and we appreciate your recognition. Thank you.

Mr. DePasquale:

Mr. President, if I may. Dick, I was under the impression that all the Councilmembers served on the Board of the Museum and Institute. Is it just four?

Mr. Givens:

It used to be about five or six and I think it went down to —

Mr. DePasquale:

Well the President automatically sits on it. I was thinking of when I was President.

Mr. Croneberger:

Thank you very much.

Mr. DePasquale presented

No. 1370 Resolution providing for the issuance of a warrant in favor of Conn Construction Company (Converse Branscome, Jr., President) in the amount of \$2,460.00 in payment of Extra Work, being in addition to the original contract price of \$2,536,174.03 on Controller's Contract No. 27563, furnished for the benefit of the City in connection with the Reconstruction of the Pennsylvania Avenue Bridge, payable from the Pennsylvania Avenue Bridge Trust Fund. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 1371 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for architectural/engineering services in connection with the design of roof rehabilitation at various City facilities

at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account EC 85-59.

Also,

No. 1372 Resolution providing for a Contract or Contracts or use of existing Contracts for the Replacement of the Roof System at the City Warehouse at a cost not to exceed \$270,000.00, chargeable to and payable from EC 86-86 - \$155,000.00 and EC 85-64 - \$115,000.00.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 1373 Resolution amending the Title and Section No. of Resolution No. 517 approved June 12, 1986 effective date June 18, 1986, entitled "Vacating a portion of the northerly side of Henderson Street in the 25th Ward, City of Pittsburgh, by correcting dimensions.

Also,

No. 1374 Resolution granting unto James B. Smith, 570 Richland Street, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, an off-street parking area and fence on a portion of the right-of-way of Unnamed Way in the 13th Ward of the City of Pittsburgh.

Also,

No. 1375 Resolution granting unto David M. O'Brien, 6450 Jackson Street, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a driveway and fence on a portion of the right-of-way of Wellesley Avenue in the 11th Ward of the City of Pittsburgh.

Also,

No. 1376 Resolution granting unto Jessie DeCarlo, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a handicapped ramp over a portion of the sidewalk of Williams Street in the 19th Ward of the City of Pittsburgh.

Also,

No. 1377 Resolution granting unto Nancy Klim, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a sidewalk cafe on a portion of the sidewalk of Federal Street in the 22nd Ward of the City of Pittsburgh.

Also,

No. 1378 Resolution granting unto Robert J. Berberich, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a driveway for off-street parking on a portion of the right-of-way of Ray Avenue in the 19th Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1379 Resolution providing for the transfer of funds in the amount of \$100,000.00 from Code Account 1133, Salaries & Wages, to Code Account 1126-1, Premium Pay, Department of General Services, and for the transfer of \$100,000.00 from Code Account 1144, Gasoline & Diesel Oil, to Code Account 1150, Outside Repairs, Department of General Services.

Which was read and referred to the Committee on Finance.

Michelle Madoff presented

No. 1380 Resolution authorizing Council to create a position in the 1986 Budget for an individual whose sole duty will be to solicit funds from the corporate and private sectors for the purpose of obtaining revenue for grants and donations for non-profit, educational and/or cultural groups. —(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

Mr. O'Malley presented

No. 1381 Resolution transferring the sum of \$25,000.00 to Code Account 1044, Supplies, Department of the Mayor, City Information Systems from Code Account 1043, Miscellaneous Services, Department of the Mayor, City Information Systems. The reason for this request is insufficient funds for supplies needed in conjunction with the City's installation of PC computer equipment.

Also,

No. 1382 Resolution Repealing Resolution No. 650, Item L, approved July 17, 1985, which authorized the sale of property in the 13th Ward, being a 2-1/2 Story, Frame house and a row of 4 - 2 Story houses (frame) located at 7123 Bennett Street, designated as Block 174-J, Lot 325, to Danny Starr for the sum of \$2,500.00. The reason for the above Repealing Resolution is that the Bureau of Building Inspection deemed it necessary that the buildings be razed.

Also,

No. 1383 Resolution Repealing Resolution No. 334, Item D, approved April 10, 1985, which authorized the sale of property in the 19th Ward, being a vacant lot located at 1606 Dagmar

Avenue, designated as Block 35-G, Lot 121, to Daniel O'Leary and Anna Mae O'Leary, his wife, for the sum of \$450.00. The reason for the above Repealing Resolution is that the Title Report revealed that there is a cloud on the title in that the property was not taken from the rightful owners.

Also,

No. 1384 Resolution Repealing Resolution No. 580, Item D, approved June 21, 1982, which authorized the sale of property in the 13th Ward, being a vacant lot, located at 612-14 N. Homewood Avenue, designated as Block 174-N, Lot 82 to William C. Green, Jr., for the sum of \$5,000.00. The reason for the above Repealing Resolution is that the Title Search revealed that the property was not taken from the rightful owner.

Also,

No. 1385 Resolution amending Resolution No. 36-Items A and H, approved February 4, 1986, which authorized the sale of property in the City of Pittsburgh.

Also,

No. 1386 Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh in accordance with Act No. 171 of 1984.

Also,

No. 1387 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh acquired in accordance with Act No. 171 of 1984.

Also,

No. 1388 Communication from Ronald C. Schmeiser, Director, Department of Finance, requesting authorization for himself to attend a conference on "How to Finance Public Infrastructure Needs," to be held on October 6-7, 1986, at The Four Seasons, Newport Beach, California, at a cost not to exceed \$1,750.00, payable from Code Account No. 1063, Miscellaneous Services, Department of Finance.

Which were severally read and referred to the Committee on Finance.

Mr. Wagner presented

No. 1389 Resolution providing for the issuance of a warrant in favor of the Upper St. Clair Volunteer Fire Department, P.O. Box 12583, Upper St. Clair, PA 15241, in the amount of \$4,900.00, in payment for conducting a hazardous materials training program for the benefit of the City, chargeable to and payable from the Department of Public Safety Third Party Payers, Code Account DPSTPP. (APPROVED BY COUNCIL BILL NO. 893, JUNE 4, 1986)

Also,

No. 1390 Resolution authorizing issuance of a warrant in the amount of \$11,500.00 in favor of Casciato Brothers for payment of emergency clean up of collapsed wall at 420 N. Aiken Avenue, chargeable to and payable from Code Account, Capital Project Funds.

Which were read and referred to the Committee on Finance.

Also,

No. 1391 Resolution providing for an Agreement or Agreements with Computer Support Associates for professional services in connection with an automated time keeping payroll

system for Bureaus within the Public Safety Department at a cost not to exceed \$15,000.00, chargeable to and payable from the Department of Public Safety, Bureau of Administration, Code Account DPSTPP.

Also,

No. 1392 Communication from John Norton, Director, Department of Public Safety, requesting authorization for Jim Winchell, Audio-Visual Coordinator, Bureau of Administration to attend a Video Expo Seminar in New York, September 29, 1986 - October 3, 1986, at a cost not to exceed \$2,400.00, chargeable to and payable from the Department of Public Safety, Bureau of Administration Code Account (DPSTPP). (PRIOR APPROVAL GRANTED)

Also,

No. 1393 Communication from John Norton, Director, Department of Public Safety, requesting authorization for Ralph Jedrzejewski, Fire Bureau, Department of Public Safety, to attend the Fire Arson Investigation course at the National Fire Academy in Emmitsburg, Maryland, September 15-26, 1986, at a cost not to exceed \$250.00, chargeable to and payable from Code Account (DPSTPP), Fire Bureau, Department of Public Safety. (PRIOR APPROVAL GRANTED)

Also,

No. 1394 Communication from John Norton, Director, Department of Public Safety, requesting authorization for Commander Gwendolyn Elliott, Police Officers Mary Causey and Eunice Nelson, Police Bureau, Public Safety Department to attend the 24th Annual IAWP Training Conference to be held in Denver, Colorado, September 6-10, 1986,

at a cost not to exceed \$2,700.00, chargeable to and payable from Code Account (DPSTPP). (PRIOR APPROVAL GRANTED)

Also,

No. 1395 Communication from Glenn Cannon, Acting Director, Department of Public Safety, requesting authorization for Commander Edward H. Patterson, Bureau of Police, to attend the Bomb Squad Commanders' Conference held at the F.B.I. Academy, in Quantico, Virginia, September 1-5, 1986, at a cost not to exceed \$400.00, chargeable to and payable from Code Account (DPSTPP). (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Safety.

The Chair presented

No. 1396 Communication from the residents of the 24th & 26th Wards, City of Pittsburgh, requesting a public hearing to express their views concerning the removal of the steps located at East & Brahm Streets which provide a direct route between their neighborhoods and East Street. This petition is valid in accordance with Section 320 of the Home Rule Charter.

Also,

No. 1397 Communication from Tom Flaherty, City Controller, submitting the Fiscal Audit of Police Relief and Pension Fund as of December 31, 1985 and 1984, and the related statement of changes in net asset available for plan benefits for the years ended December 1985 and 1984.

Which were read, received and filed.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1398

Report of the Committee on Finance for September 3, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1306

A Resolution entitled, "Resolution transferring \$35,000.00 from Code Account 1970, Salaries and Wages, Purification and Pumping, Department of Water to Code Account 1971 (197103), Premium Pay, Purification and Pumping, Department of Water."

Which was read.

Michelle Madoff:

Mr. President, following your lead at Wednesday's meeting, as you know, you asked me to proceed with the bill and it is now coming up for a vote. As I mentioned earlier with your blessing, and with a vote of Council, we put a position into the Water Department to have an engineer and I believe that job was budgeted for \$40,000.

The position was never filled, as witnessed by this Council. The Director felt that he didn't know what the person would do and we have a dichotomy of opinion on that but nevertheless, there's a \$40,000 figure sitting there and I see no reason to budget another \$35,000. So, I would urge my colleagues to vote no and in so voting would support their support of having budgeted \$40,000 for an engineer.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES 1

(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1315

A Resolution entitled, "Resolution transferring the sum of \$1,500.00 within Code Accounts of the Department of Law."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Pollock presented

Bill No. 1399

Report of the Committee on Planning, Housing and Development for September 3, 1986 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1129

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 17, by changing: From "R3" Multiple-Family Residence District to "R2" Two-Family Residence District, all that certain property bounded by: South Braddock Avenue; the "C3" Zoning District Boundary Line located south of Penn Avenue between South Braddock Avenue and the City Line; the City of Pittsburgh and Wilkinsburg Borough Municipal Boundary Line; Peebles Street; Forbes; Flotilla Way, Lot No. 52, Block 176-E in the Allegheny County Block and Lot System; South Braddock Avenue, Lots Numbered 190 and 140, Block 175-N in the aforesaid System; Lots Numbered

156, 162, 180, and 182, Block 175-J in the aforesaid System; Tuscarora Street; Lots Numbered 223 and 262, Block 175-J in the aforesaid System, 14th Ward."

Which was read.

Mr. O'Malley:

Point of order. On 1129, I was involved in it; I was President of the community group that requested the zoning ordinance so I'm going to abstain.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

(MR. O'MALLEY ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1323

A Resolution entitled, "Resolution approving the Homewood South Proposal, dated July, 1986, including Modification No. 3 to the Redevelopment Area Plan, for redevelopment activities in Redevelopment Area No. 34, in the

Thirteenth Ward of the City of Pittsburgh."

Which was read.

Mr. Pollock:

On Bill 1323, I move to make the effective date the date that it is signed by the Mayor.

The Chair:

Wait a minute. We already started voting. Now, we're going to carry through voting; the amendments are over. Everything is over and there is no discussion.

Mr. Pollock, you'll vote; we can't amend now. We already started voting.

Mr. Pollock:

I wasn't making a motion to amend; I was making a motion to make the effective date of the legislation the date that it is signed.

The Chair:

Still, Mark, you have to do that under discussion. We are already voting. But since you have to do it, from this point on, once we start voting, everyone knows the rules, we will vote. Any amendments or discussion, please do them when we're under that particular order of business. Mr. Pollock, make your motion.

Mr. Pollock:

I make the motion on Bill No. 1323 that the effective date is the date that it is signed by the Mayor.

Michelle Madoff seconded the motion.

Which motion prevailed.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1324

A Resolution entitled, "Resolution providing for an Agreement(s) with Consultant(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

Mr. President, on Bill 1324, I have stated that I am not very happy with the CTAC operation and I have a resolution later to have a grants person. I would like to substitute a motion to amend Bill 1324 by deleting the \$160,000 allocation pertaining to CTAC, the Community Technical Assistance Center, and thereby reduce the bill's total allocation from 375 to 215 in the title and Section

1, and eliminating the acronym CTAC where it appears in Section 1.

Now, I'm not positive, but I would like to hear from my colleagues. We might just want to delete the CTAC involvement because I think a grants person, we'd still need some money for the — We didn't deal with it previously and this is how I was asked to deal with it.

The Chair:

You're dealing with property. You put an amendment in, we all had the amendment on Friday, 48 hours prior to today's action. So now you made a motion to amend, everybody has that in front of them, or they should —

Michelle Madoff:

Excuse me, may I change my amendment, Mr. President? I don't want to change the dollar allocations from 375 to 250 and I'd like to remove that. Just delete the allocation, the CTAC, and change the acronym where it appears, but leave the money in the budget because we'll need it for whatever body is going to be doing the proposals and helping people and giving grants. I just think this is the wrong agency. We've gone through this year after year after year.

The Chair:

Okay, well let's not discuss it until we get a second. You made a motion to delete the word CTAC. I make a ruling that we'll accept that even though it wasn't in writing.

Is there a second to that motion? Hearing none, your amendment fails.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1325

A Resolution entitled, "Resolution authorizing a Third Amendatory Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the Homewood South Redevelopment Project allowing for the dedication to the City of Pittsburgh of new or widened streets, sewers, waterlines; pedestrians and public utility easements; and to delete the provisions for dedication of land to the City for public park purposes, all in accordance with the Amended Proposal and Modification No. 3."

Which was read.

Also,

Bill No. 1326

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the Thirteenth Ward of the City of Pittsburgh owned by the Port Authority of Allegheny County and designated as part of Block and Lot 174-N-181 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1327

A Resolution entitled, "Resolution approving an agreement by and between Urban Redevelopment Authority of Pittsburgh and Charles E. Davis Construction Company, Inc. in which Urban Redevelopment Authority of Pittsburgh will provide financial assistance to the purchasers of houses to be constructed in the Thirteenth Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program."

Which was read.

Also,

Bill No. 1328

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Charles E. Davis Construction Company, Incorporated for the sale of parcels 13, 13A and 13B in the Thirteenth Ward of the City of Pittsburgh in Redevelopment Area No. 34 (Townhouse Construction)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. DePasquale presented

Bill No. 1400

Report of the Committee on Engineering and Construction for September 3, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1285

A Resolution entitled, "Resolution further amending Resolution No. 967, effective October 16, 1985, as amended by Resolution No. 241, effective April 2, 1986, entitled 'Providing for an Agreement or Agreements or use existing Agreements, with a Consultant or Consultants for architectural, engineering and graphic design services in connection with the design of the

implementation of the Zoo Master Plan; and providing for the payment of the cost thereof,' by amending the title to include Construction Management Services and by increasing the total project allocation by \$355,000.00."

Which was read.

Michelle Madoff:

Mr. President, I would like to have included under Bill 1285, for the record, that over a three year period for the Zoo, the Aviary and the Conservancy, the debt service to City taxpayers was something like \$3 million. For the Zoo alone for last year, it was \$4 million.

I would like that to be part of the record so that next year we change to having the suburbanites pay a fee for service at a higher rate — I shouldn't say the suburbanites pay less but the City taxpayers pay less in the sense that they've already paid for it in \$4 million in tax dollars for the one year. Thank you.

Also,

Bill No. 1291

A Resolution entitled, "Resolution amending Resolution No. 197, effective March 19, 1986, entitled, 'Providing for a Contract or Contracts, or use of existing Contracts, for Construction of Phase 4.0: Tropical Forest Facility of the Pittsburgh Zoo; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$2,585,376.93."

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Givens presents

No. 1401 WHEREAS, a nationwide crusade against drugs is being launched by President Reagan, the U.S. Congress, and the nation's mayors to combat this corrosive national scourge; and,

WHEREAS, the war on drugs has become a nationwide effort on several fronts: stopping the smuggling of drugs across our borders, establishing federal regional task forces, creating special narcotics courts and drug prisons, banning drug paraphernalia, creating a National Drug Education Corps, and funding cities to fight local drug traffic; and,

WHEREAS, both public and private sector initiatives are in agreement on this bi-partisan effort to save the youth of our country, from the corruption of narcotics particularly the underprivileged children who are the most vulnerable; and

WHEREAS, regional coordination is essential if legislative and enforcement programs are to have a deep and lasting impact in this struggle for the lives of a generation of young Americans.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby urges local, county, state, and federal officials to combine and consolidate their efforts into the creation of a regional task force to coordinate regulation, enforcement, and programmatic solutions to the devastating effects of drugs in our area and throughout the country.

Mr. Givens moved to adopt the resolution.

Michelle Madoff seconded the motion.

Mr. Pollock:

I'm opposed.

WHICH MOTION PREVAILED.

Mr. Givens:

I'd like to make a few comments, if I might. I was fortunate enough, I would have to assume, that in my early manhood I was able to serve as a Deputy Sheriff in a border state along the Mexican Border and during my military services as a marshall in Mexico, California and in Florida. I had an on-hand type of working relationship with the civil police in trying to combat people crossing our borders as well as the drug problems that we've had for many, many years in this nation. As we all know now, its become epidemic in proportion.

The reason for this resolution is just not to put a resolution forward and its just not for the President of the

United States to make the comments that he's going to make next Sunday and for Congress to act upon another resolution that's being presented by a fellow Councilmember here to make sure that appropriate monies are available for the total drug enforcement situation. It's very paramount that if the federal government who has taken the initiative at this particular time, along with our state government, our county government and our local 130 some municipalities within Allegheny County, that nothing really will be done to dent the drug trafficking within our community.

The federal talks about establishing the federal regional task, and I equate that out to a regional task force, and I'm thinking right now of the present regional area as defined by the metropolitan government of Western Pennsylvania, including several counties abutting Allegheny County. This must be the nucleus because this battlefield is so lucrative and the characters change so rapidly, you must have that regional control of what is happening or you never get the total picture. You never get it.

Looking in very closely to the Florida situation where they have received the pallet project, it was started in the state of Florida and it has been on-going for several years down there now. Florida state laws reflect the strong drug punishment if anyone is caught with paraphernalia or trafficking in that particular state. That is the model which the federal government funded and is now using at the national level which will eventually effect our City of Pittsburgh and our own some 76 neighborhoods within this City.

I can't again emphasize the coordination that must be done and this resolution, Mr. President, will go to the leadership and our House, both at the

state level and both the Senate and the Representatives, along with all of our county officials and a copy is mailed to all 130 municipalities here locally and to the abutting county political leaders so that they all know that the City of Pittsburgh which is the hub of this metropolitan area is taking this very, very seriously. To take that action, I would suggest and strongly recommend that using the existing boundaries that we have right now in our metropolitan area, that the political leaders, the elected political leaders in that area, must form a task force including everyone who should be sitting on that task force. You can't have nothing but the law officials here; you must have the courts involved in this. You must have the correctional institutions involved in this. You must have the educational institutions involved in this. You also have to have religious institutions involved in this as well as the family itself, which is the basic core.

This has inundated every neighborhood in the City of Pittsburgh, rich and poor alike. And the only way that we can do it in a democratic process that I envision will be through the educational process because once a person tastes and gets addicted, if you just look at the percentages of those people who are cured, some 90 percent return back to the fold of addiction. And that is a figure that hasn't changed very much over the years.

So, again I plead with my fellow Councilmembers to just not say yes on this resolution but that we have significant follow-through and hopefully, some years later, with our endeavor of pushing the Pittsburgh area and the City of Pittsburgh, that we might have some constructive initiative in this.

May I tell you that in Florida with all the money that has gone in there,

millions upon millions of dollars, with the use of the military, there are still so many escape holes in the radar nets and the infiltration into the state of Florida that they have just put a little nitch into the total narcotic trafficking in that particular state. And that means that we have one hell of a battle out in front of us and if no one thinks so, just look at the Florida episode. I can sit down and talk hour upon hour of my experiences that I've had in my lifetime with exactly this particular entity.

So please, Councilpeople, dig in and let's not leave it go with Resolution No. 741, September, 1986. We have to put our shoulder behind this one and see and hope that the Mayor will form and be the spearhead of this task force.

Thank you, Mr. President.

The Chair:

Thank you, Mr. Givens.

Mr. Wagner presents

No. 1404 WHEREAS, the U.S. House of Representatives will vote on an omnibus anti-drug legislative package on Wednesday, September 10, 1986; and

WHEREAS, in addition to this bi-partisan legislative package, two essential amendments will be offered in Congress to strengthen international enforcement and to raise the funding for local anti-drug efforts; and

WHEREAS, the Bennett Amendment, sponsored by Congressman Bennett of Florida, will enable U.S. military forces to be used outside of our borders to assist Federal Drug Officials; and

WHEREAS, another amendment will be offered to the State and Local

Assistance Act to restore the funding to the original \$625 million level per year to aid state and local governments in their fight against the devastation caused by drug abuse and the narcotics business; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby urge the Congressional delegation from the Pittsburgh area to support these two amendments when they come up for a vote later this week;

AND, BE IT FURTHER RESOLVED, that a telegram of this Resolution be transmitted to our area Congressmen as soon as possible so that they have it for consideration before the expected vote on September 10, 1986.

Mr. Wagner moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Wagner:

Mr. President and members of Council, this resolution here, even though it's not a binding resolution for Council, is a very important resolution. As is indicated in it, the people in Washington will be voting, our Congressmen will be voting on a very, very important piece of legislation pertaining to narcotics nationwide. Amendments are to be made to the bill which can restore funding to the original bill to the tune of several hundred million dollars. What that means is that if that amendment passes and if the bill passes, the City of Pittsburgh could qualify for a couple million dollars in funding to go directly towards the fighting of illegal drugs and narcotics in our City. It could be used for staffing

purposes, it could be used for equipment, it could be used for education, it could be used for treatment and many other things.

As all of you know, I've pushed repeatedly on this Council, and this Council has supported me, for an increase in the number of narcotics agents within the Police Bureau which has been accomplished. We are still pushing, however, for increased funding for those narcotic agents. We still don't have some very important pieces of equipment we need to do our job properly. If this funding becomes available, it would make it easier to acquire that equipment. It would also give us more hand money to go out and purchase drugs and you need a lot of that to make the kind of buys from the right people to apprehend them and hopefully convict them.

Just one last thing I'd like to say. I was talking this morning with the Commander of Narcotics for the City of Pittsburgh, Chester Howard, and he indicated to me that he was recently at a conference and it was stated at that conference that Pennsylvania rates number one in the country in terms of the dealing of illegal drugs from the medical and pharmaceutical professions. We need to begin to address that problem I think here locally with certain narcotic agents working directly to attack that problem. That requires funding.

Hopefully this bill will pass, hopefully the money will be allocated, and hopefully we'll start addressing a problem that this whole country and city should have been addressing 10 years ago.

The Chair:

Thank you.

Michelle Madoff presents

No. 1403 WHEREAS, in order to make Public Hearings a more effective dialogue between the citizens and the Council, Council needs to be fully informed of all of the pertinent issues; and

WHEREAS, the administration and the various departmental directors should make such information readily available to the Council prior to discussion at the public hearings;

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh hereby requests that the administration conduct pre-hearings for the benefit of the Council prior to regularly-scheduled public hearings open to the public and media.

Michelle Madoff moved to adopt the resolution.

Mr. Pollock seconded the motion.

Michelle Madoff:

Discussion. Mr. President, with due respect, this is an item that came up at our Council meetings on setting procedure. Many of us have been thwarted and frustrated because, the best example I can give you is that in the various board hearings on environmental issues, all the input was there so the people were testifying about what they knew about.

What happens is that we have a hearing and we don't really know what's going to happen. I'll give you an example. The hearing on Mr. Norton, the information from Mr. Norton. We sat for eight hours before we heard from Mr. Norton. I could go on an on giving you other hearings where this has happened.

And by the time we get to the end of the day, the people are gone, the person in question is very frustrated. Paul Brophy told me personally that I believe he spoke with you, he told me he did in any event, that at one of the hearings that happened on the zoning thing he was absolutely frustrated. He wanted to explain the input from the City and what had transpired between the time the bill was introduced and what was going on. I know that Mr. Norton was biting his nails. Whether you agree with him or you don't, there's a certain amount of courtesy, a certain amount of information that we should have because we are restricted to the one question process.

I am asking my colleagues to either decide today or to put it back in committee, our committee meeting where we meet to discuss changes of rules of Council, or we change the procedure to what it used to be. When I first got to Council eight years ago, the public was allowed to ventilate, they got up on a sort of soap box and they got it off their chest, but nothing happened. With the help of a couple of priests and others, we changed the procedure to require that at least a member of the Administration be present. At least we have that now. At that point, we had a rule that was passed about three years later that somebody from the Mayor's Office, meaning his immediate staff, would be here. That has been dropped. Now we've gone back to just letting people ventilate with the argument being we said, "We're here to hear the people and we want to hear from them, Madoff, so let's not stop the people", but the people don't know what they're testifying on because we haven't really given them all the information.

I will abide by your decision, Mr. President. If you want to put this back into a discussion group with Council

where we change the rules of how we conduct a hearing, I'm willing to do it on that basis. If not, then I would ask my colleagues to really re-think what we're doing and give the courtesy to department heads, courtesy for Councilmembers to interact with the department heads, either in a post agenda, either in a meeting set aside at any time where we could find out what the real issues are, but I want that open to the public, I want it open to the media so they know what's going on, and then when the people testify they know what's happening.

When legislation is proposed, copies of the legislation is made available at libraries or in our case, I guess the legislation is available through the City Clerk. But when we change the legislation, nobody has an opportunity to see what has happened. We don't even know. We get to the hearing and we start asking questions and we can't ask the questions until after the hearing and after everybody has testified and most of those questions are generally answered and the people would have known that had we allowed input from all segments of the Administration to clarify what the issue is.

I would respectfully ask my colleagues to go back to a format where we have a briefing session, not just the briefing session that takes place in the Mayor's Meeting on Monday because too much has happened between that time and the time that we have a public hearing.

Also, I would urge you to support this because, even if I ask questions and I find out what is happening or if we're lucky enough to get responses from department heads, the public still doesn't know what has changed. I would certainly hope that the President would still keep control of the hearing and not

let it get out of hand, which he has been doing, but on the other hand, at least have all the information available which it is not presently in the format that we are conducting hearings.

Mr. Wagner:

Councilwoman Madoff, I could support this resolution if it were more specific, meaning that if it indicated that a pre-hearing would be conducted one-half hour prior to the regular hearing as a briefing for Councilmembers, something more specific so a standard could be adopted to brief Councilmembers. I believe that briefing and information is very important and anything that can be made available to all members of Council is of value to Council prior to the public hearing. But just be stating that a pre-hearing and not knowing when that pre-hearing would be or that information, when it would be required, isn't enough. I think it needs to be more specific.

The Chair:

Let me just say one thing. I'm not for this but, however Council votes, if you're going to use the terminology, hearing, I would suggest you take it out and say a meeting prior to hearings because any hearing, whether they're pre-hearings or hearings, the President of Council sets. So, if you want to do something to try to overrule the President, I would suggest you take that word out of there.

Michelle Madoff:

Thank you. I think that's a good point.

The reason I didn't put in to have a meeting prior to the hearing, and, as the President said, he has the authority to just conduct the hearing and set the

times and not the meetings, was that I thought there might be a more appropriate time. I didn't want to confine the time. It is generally done in the Congress and the Senate and in Harrisburg where, as a matter of fact you watch your national news where they cover the Congress and the Senate, there's a period of time set aside and one colleague will yield to another saying, they have five minutes, I give to minutes of my time to somebody else so there's a constraint on the time and people don't ramble on for forty minutes saying the same thing over and over again. I think there can be a mechanism worked out where we can be courteous to each other and still have the information that is important before the public testifies.

If you wish to amend my bill to say a meeting one-half hour prior to the hearing, I have no problem with that whatsoever and I would second it, because that's the intent of the bill.

Mr. DePasquale:

Mr. President, as for myself, the Clerk's explanation prior to the start of the meeting is self explanatory. I see no need for a prior meeting.

Mr. Wagner:

Mr. President, if it's appropriate, based on your suggestion I would like to make a motion to delete the words "hearings" in the resolution and to add a sentence that a pre-meeting would be conducted 30 minutes prior to the scheduled public hearing.

Michelle Madoff seconded the motion.

Mrs. Masloff:

May I ask a question? What stops anybody from calling the department head and saying we have a hearing

coming today; tell me about it? Without having a separate hearing, there are some things that we do know.

Michelle Madoff:

May I respond to that? I would hope that as much as possible we do that, as members of Council. But the public doesn't have that option; the public doesn't even know who to call. They don't know what's been changed, they don't know what input, what meetings have taken place. I'm referring to a briefing not only to Council but one that the public would be here in advance and know that they're not going to testify for the first half hour.

Mr. O'Malley:

Are you recommending that these meetings be televised?

Michelle Madoff:

Absolutely. I'm not married to that but the biggest issue is that the public is very upset. The department heads are very upset because they are sitting here all day long, very frustrated, and they have answers to the objections that the public is making and they've never had a chance to express them.

I don't think we're communicating. I'll try once more. When we go to a hearing, frequently, unless it's a cut and dried, nobody objecting, two people are concerned about a zoning thing, generally the people in the audience who are testifying do not know what other changes have been made since the time the hearing has been set. They just don't know. And the department heads would like to share that information, not only with the public but with Council. And when we ask questions we're restricted to one question. I'm asking for the courtesy of

a half-hour briefing that is done in all legislative bodies, its done in every inquiry board where you get the information. That's all I'm asking for and I don't think that's a major request.

Mr. Grabowski:

Mr. President, I see some problems with this resolution especially in light of the fact that from time to time we're asked to have hearings on matters that don't concern the City whatsoever. And I don't know what members of the Administration or what directors you would want to have here to discuss things such as the operation of day care centers in the public schools or the dispensation of birth control devices in the public schools which are hearings that we have had. I can go on and on. Quite frequently we get requests for hearings that have nothing to do whatsoever with City business and I don't know how you would address it with this legislation.

Mr. O'Malley:

The other problems I see with this, Michelle, is you're asking to call these meetings but yet you're still asking for a structure and to be televised. If that was the case, then it would have to be presided over and set by the President of City Council which, in essence, would make them the same thing as a hearing. So you can't call them hearings, have them structured, have them televised, and have them presided over in roll calls.

Mr. Pollock:

I'd like to say that I think Michelle's proposed resolution is intelligent, sensible, consumer-oriented, productive, and I'm sure it will thus be defeated resoundingly.

Michelle Madoff:

Thank you, Mr. Pollock. I was on two other bills today that fell in the same category.

I offered in a lady-like, and in the spirit of cooperation, at the President's discretion, to take this bill back to our Committee Meeting to sort of iron it out there because there are questions arising now about procedurally how would we do this. I don't care how we do it as long as we have an informed media and an informed public. In every other public hearing before the public gets up to testify, they know what they're testifying on. That is not the case. In every other public format, any other public hearing, the principles involved, the department heads have a chance to be heard.

I agree with Mr. Grabowski that it should not be broadly construed so that every single hearing would have this kind of preamble. But I think that Mr. Grabowski, if he wanted to support this legislation, could think of a way to do it in the same way that it was moved by this Council that we would not televise, which I opposed, that we would not televise where the action really takes place, all the post agendas and all hearings, that we would vote on which ones we were going to have televised. In the same way, if we had a half-hour preamble as part of the hearing, obviously we're locked into that. Mr. Wagner, then the option would be to decide by majority vote which ones we wanted to have a preamble and to have information, a public information hearing, and the public would be notified that for the first half hour they would not be able to testify so they won't get — I'm hear and I'm not able to speak, they would be scheduled a half-hour later but invited to come a half hour earlier. It's done every single day at every single

responsible way of doing business and I can't believe that this Council doesn't want to solve that problem.

Mr. Givens:

Maybe I've been around here too long but I find that about 90 percent of all the hearings that come before this Council are pretty much routine in nature, to me. Those that aren't, then I have to do my homework, not 30 minutes prior to the hearing but many weeks and many days prior to that hearing. I can look over all of our local and state and federal government and know of no proceedings where you have some type of bringing in the directors from various departments to query them on the hearing that you're going to have in 30 more minutes. I think its assinine to try to get government postured in this position where we have to wait 30 minutes prior to the gun.

I have always been able to get information out of directors when I seek it directly with that director. On a couple of occasions, I was not afforded that information when I was a young Councilperson. As a Councilperson I have found very persuasive ways to get whatever information I want now from various directors and I think all of us know how to go about doing that. If not, we shouldn't be politicians.

So, I can't vote for this because I feel it's just another stumbling block put in and adding more bureaucracy and I have to admit that the people publicly that come before us and testify seem to have always done their homework well in advance. They're well abreast on the subject that they're going to present before this Council. I don't find them ignorant and I find them going to the same directors and the same City employees asking for various information. When its a complex issue

like the Stadium, then we had to bring in some expertise and I agree, when we get into very complicated financial arrangements with long-term financing, then we should have the best experts we can at that particular time. So, I can see no sense in having this type of forum of a pre-hearing.

Michelle Madoff:

I would like to respond to Mr. Givens and after I respond I'm going to ask that the bill be held —

The Chair:

You can't do that.

Michelle Madoff:

Put in Committee? Well, whatever. We know it's going to be defeated anyway.

My esteemed colleague said that it's assinine and that he does his homework and I would like to respond that he asks more questions than anybody else and that he takes up more time and anybody else because he's so informed —

The Chair:

Come on now. We're not going to get personal.

Michelle Madoff:

He made the comment. I'm responding to his comment.

The fact that we ask the questions, including Mr. Givens, means that obviously we don't have the answers. I think the public certainly doesn't have them because they're not privy to the information that we have. The public would like to be better informed and I think it's insulting to the department

heads to sit here all day and not have the opportunity to inform us of what has transpired before the people speak.

I expected to be defeated. I think it's sad; I think it speaks to the kind of Council we have.

I move to have it approved.

Mr. Wagner:

Mr. President and members of Council, just a recapping of some of the things that we've talked about. I believe that this is an informational type request and if there's anything that this Council complains about, the most often is the lack of information, the fact that we have to read in the media or hear or see through the media things that are going on in the Administration. And that happens repeatedly on a weekly basis in this City, even though we are funding the Administration for the taxpayers.

In regard to it being televised, these meetings could not be televised, I suspect, unless Council voted on it and the majority of Council approve the televising of a particular meeting as we do with public hearings. So I think that does not pertain overall to all of these meetings if we do adopt this procedure.

Department directors would not be required to attend the meetings unless they were required to attend the hearings. There are some hearings that we don't have department directors here, to be quite frank about it, and I can think of several off hand.

The meeting, the way I would foresee it, would still be chaired by the President and the President only, or the President Pro tem. It couldn't be conducted in any other fashion according to the rules of Council. Information in the sense of the department director's

responding to the questions of the petition would be the purpose of the hearing. In other words, the department directors would have the opportunity to talk about what the petitioners, the citizens are concerned about. I think that is proper, that is right, to give the Administration that opportunity prior to a public hearing.

The best example I can think of is the five-zone concept in the Police Bureau. We should have been given the opportunity to review the plan. True, individuals did seek out information and we did obtain it, but we did have to seek it out. It wasn't provided. With a meeting of this type, I think it would be very informative, not only to us but also to the public, and possibly shorten the public hearings.

One last comment I'd like to make is that as they said with the zone concept, if it doesn't work, we can always go back. That's very difficult, I think, when you're changing physical facilities and personnel. It wouldn't be very difficult in this Council. If we tried it and it didn't work, the half-hour meeting could simply be eliminated. I think it's a good idea.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff Mr. Wagner
Mr. Pollock

AYES 3 NOES 6

VOTING NO:

Mr. DePasquale Mrs. Masloff
Mr. Givens Mr. O'Malley
Mr. Grabowski Mr. Woods
 (Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Michelle Madoff:

On another item. I must confess that I am absolutely non-plussed that I did not get one phone call this weekend. My colleague Sophie Masloff, I don't know if Mr. Pollock or any other members of Council were called, but I just had a call from the Anti-Defamation League, a Mr. Howard Ross, who said that on Saturday, but I understand that it was shown three times according to the information I received, I don't have all the facts, as we are speaking right now the courts are impounding the film so it will not be destroyed.

There was a film shown on Cable, on 21, called Glimpse of Islam. Presumably, and I did not see it but I want to see a copy, there are copies being made for Council now, that said that Jews are permitted to commit adultery with Goyem, that is the word for Jew, providing that they're not Jewish, that it is permissible to rape three year olds providing they're not of the Jewish faith, that Jews still drink blood, the world money is controlled by Jews, that we're users, and so on and so forth.

Everyone here knows the Vatican II which is the Nostra Tante, I believe, in our times change the concept of the Jews and the Gentiles being guilty of having killed Jesus. Presumably that has been changed.

I have spoken with Mr. Howard Ross and asked him what he wanted to do, what did the Anti-Defamation League want to do. I said, "You certainly are not going to advocate censorship, are you?" and he said no, he was not. We do not want censorship. I said, "What do you want?" He said he wants a public apology from the maker of the film, and I believe the person who made the film is called Mustafa Ali - we just got his phone number - on issues that are not truthful.

I asked David Conti who runs Channel 21 which is a cable system which is the community producer, Channel 21 is the non-profit forum to operate the cable access on Pittsburgh. It provides access to community groups, any residents or non-profit organizations like the United Way, Neighborhoods for Living. But the rules say that PTCV prohibits obscene material or indecent material, I don't think it falls under that category, and he gave me a list of all the rules. You can't have lotteries, you can't have political endorsements, you can't have promotional material concerning products, etc. They have one proviso; any material that constitutes libel, slander, invasion of privacy or publicity rights, unfair competition, violation of trademark and copyright, that which might violate any local, state or federal law. I don't see that this film violated any of those, unfortunately, but the one thing they did violate was that when we granted the license to PTCV, they had the authority to review and they did not by oversight, I understand, and maybe Sophie can shed some light on this, and it was a matter of good taste. What you would show on public and what you would show on cable become two different things.

I want to repeat this in light of the Hail Mary episode. The Jewish and Gentile community, the Anti-Defamation

League, does not want censorship, because if you wanted censorship in the Taming of the Shrew, Shakespeare, you had Fagan pictured as a Jew-grabbing horrible person. I don't want to censor Shakespeare. But when you come out with things like raping three-year olds, drinking blood, that we advocate raping children - I just can't even believe what I just heard. I some of like the last to hear of what went on -

Mr. DePasquale:

Michelle, what's your motion?

Michelle Madoff:

I'm informing Council; I'm not making a motion. I just wanted Council to be aware that in order for the film not to be destroyed, the Court is ordering a copy to be made so that we in Council can see what has happened and I think perhaps this Council ought to meet with PTCV who gave them the licensing rights for that Channel 21, to see how that happened, what kind of rules, if any, or infractions were violated, but certainly the community, and I'm relating what the Anti-Defamation League is requesting is that what is absolutely outrageous lies should be apologized for.

The Chair:

May I ask one question? I understand what censorship is and so forth, but if you only want an apology, I mean I think it should just be taken off. You're saying, apologize but continue showing this?

Michelle Madoff:

No, no, no, no. It's not going to be shown again. They've agreed never to show it again. That's not the point. If they've agreed never to show it, why was it shown in the first place? Again, I

don't want to advocate censorship. That's what I'm saying.

The Chair:

Well that is censorship. If you take it off, it's censorship.

Michelle Madoff:

I didn't make the decision to take it off.

The Chair:

It should be, don't get me wrong.

Michelle Madoff:

I did not say to take it off. I want to be perfectly --

The Chair:

I say take it off.

Mrs. Masloff:

May I add to all of this? From 1:30 to 5:30 on Saturday, at the completion of this program, my phone rang off the hook. Channel 21 is a public access channel. PTCI has very little to say about controlling the neighborhood channels except that they have rather a loose code as to what can be said on Channel 21 and its extremely loose; that is, you can't say anything inflammatory, you can't say anything derogatory, you can't say anything obscene. It's never been tested before; this has never happened before so that they had no guidelines to go by.

Now, the things that Michelle said this person said Saturday afternoon between one and two on the public access channel 21 are all true. Whatever Michelle said they said, they said. It was extremely obscene, extremely

inflammatory. PTCI, I took it up with them first thing this morning, and PTCI now agreed that they will have a closer control so that the guidelines which I said are rather loosely drawn as to inflammatory, as to decency, would be a little stronger, more than they have been. However, there won't be any censorship and the neighborhood who have had free reign up until now will continue to do that but they will have a little closer control than they've had.

This person obviously was revolting, disgusting, and could not have been a worse type of person. But they're few and far between; this has never happened before, so they had nothing to go by, and hopefully it will never happen again. But PTCI has assured me that they will thoroughly investigate it and see that this never happens again.

Michelle Madoff:

On another subject. Mr. President, we had discussed in this Council on the set-aside legislation, and I believe you concurred, that we should not have set-aside legislation go to referendum because it would be defeated as a black-white issue and not perceived as what we want it to be.

We agreed that we would hire an attorney. You asked me to go out and find someone, I found Mike Boyle. You asked me to find out what he would charge; I got the hourly rate, he's going to give us a special rate of \$85 an hour. You then asked that he find out what the outside cost could be; I have found that out for you. He said he has tried to reach your office on numerous occasions, I think it's because we've been out of session but nobody has returned his calls.

The Chair:

What is his name?

Michelle Madoff:

Mike Boyle.

The Chair:

He never called my office.

Michelle Madoff:

On numerous occasions. You may not have gotten it; it could have come through the switchboard while we were gone. I'm just relating information.

The Chair:

I was here while we were on break, by the way.

Michelle Madoff:

Anyway, he thinks that he could do it in less than 10 hours at \$85 a hour. I'm asking that we limit it to \$1200 just to be on the safe side. He's done nothing on this because he figured that we forgot about it, that we weren't interested in the set-aside legislation.

Do I have your permission to go out and say it's fine? I didn't want to do it until —

The Chair:

Yes, but he never called me. If he did, I never got the message.

Michelle Madoff:

Mr. President, I get many calls at the switchboard that are not translated to my office so it could have happened.

Mr. DePasquale:

Excuse me, could we define the legislation that we're talking about?

The Chair:

The set-aside legislation for minorities and women.

Mr. DePasquale:

Why do we need an attorney?

The Chair:

To make sure that the legislation is legal, to compare it with Danny. We all agreed to that some months ago.

And on the motion of **Sophie Masloff**

Council adjourned.

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Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, September 15, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

We're going to deviate from our regular order of business for a resolution to be presented by Ms. Madoff.

Michelle Madoff:

Judith Aaronson, would you please join me?

Ladies and gentlemen, thank you for coming today. I think that the subject of the resolution today and the presentation to the people that are in the audience is a great honor and a great tribute to the people who have been aware of the major problem of the late '80s and '90s which is literacy. Without addressing the question of literacy in a community that has been very high-pressed economically, we have very little hope of turning the economic impact of our community around. This is not just saying isn't it nice that the President has declared this month as Literacy Month but hoping to bring it down to the people who are really doing the job.

I must tell you that I have been hit over the head with a 2 by 4 by Judith Aaronson who has really been at me making sure that I understood everything there was to know about the problems of literacy. She has practically worn me to a frazzle but I hope that we've come through and I think this Council has shown its support in its preliminary vote on Monday and its hopeful final vote today in making some money available so that every single group here will have the funding it needs to really get the job done and that you will all be able to interact together. Hopefully this will be a city that will be in the forefront and lead the nation in setting an example of what can be done in literacy.

Judith Aaronson:

In June, 1985, WQED convened a meeting of representatives from all the PBS stations across the country to discuss the issue of adult literacy in the United States and determine what action was needed to address the problem in each community. This meeting resulted in PLUS, Project Literacy United States, the national outreach effort to involve every community in marshalling resources to address the problem.

The people here today have been involved in providing literacy training to adults in our community on an on-going basis. We are pleased to recognize their efforts working with limited resources, which we are confident will increase due to the current publicity which has made literacy a public issue.

Thank you.

Michelle Madoff presents

No. 1456 WHEREAS, illiteracy is one of the fastest growing social problems in America with over 2 million illiterates, who have difficulty being trained for skilled positions, added to the job ranks every year; and

WHEREAS, 23 million Americans cannot read or write past the fourth grade level, while another 30 to 35 million cannot read or write beyond the eighth grade level, dropping the United States to 49th among nations in World Literacy; and

WHEREAS, this year PBS and ABC responded by launching a public service campaign called PLUS, Project Literacy United States; and

WHEREAS, locally, WQED, Channel 13, and WTAE, Channel 4, are the co-sponsors of the PLUS program

which includes documentaries, public service announcements, prime time dramas, and a toll free hot line for illiterate viewers who want help.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby designate September as "ADULT LITERACY AWARENESS MONTH" in Pittsburgh; and

BE IT FURTHER RESOLVED, that the Mayor and the Council commend WQED and WTAE for their sponsorship of the PLUS Program and honor all those who have been involved in the ongoing literacy efforts in our community:

Dr. Joyce Galpern, Coordinator,
United Way PLUS Task Force
Jean Stubbs, Coordinator,
Developmental Support Services, CCAC
Allegheny Campus Learning Center
Dave Farley,
Pittsburgh Partnership - JTPA
Dr. Joan Brest Friedberg and
Dr. Elizabeth Segal, Co-Directors,
Beginning with Books
Pinkie FAMILONI, Legislative Liaison,
Coalition for Adult Literacy
Don Block, Executive Director,
Greater Pittsburgh Literacy Council
Dr. William Kofmehl,
Christian Literacy Association
Rhonda Johnson,
Pitt Adult Competency Program
Bob Hannon, Senior Vice President of
Corporate Development, Thrift Drug,
and Chair United Way PLUS Task Force
Tom Staszewski, President, Coalition for
Adult Literacy, CCAC, Braddock Center
Nancy Woods, Director,
Adult Literacy Action, Penn State
University, Beaver Campus
Dr. Shirley Biggs, University of
Pittsburgh, School of Education,
Chairwoman, Coalition for Adult
Literacy, Research Committee

Dr. Alice Scales, University of
Pittsburgh, School of Education,
Vice President,
Coalition for Adult Literacy
Thomas Wehrli, Coordinator,
Adult Basic Education, Vice President,
Coalition for Adult Literacy
Randolph W. Brockington,
Deputy Director, Federal Programs,
Allegheny County
Jean Connely,
Station Coordinator for PLUS
C. Dianne Colbert, Ed. D.,
Director, Educational Services

Michelle Madoff moved to adopt the
resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Michelle Madoff:

Dianne Colbert from WQED and
Nancy Woods are going to say something
very briefly.

Ms. Colbert:

On behalf of the United Way Plus
Task Force, I want to thank Michelle
Madoff and City Council for their help in
raising the community's awareness of the
problem of adult illiteracy.

In this proclamation we join
hundreds of communities across the
nation who are responding to a year long
media effort, Project Literacy U.S.,
initiated by the national ABC and PBS
networks with our QED leading the
national effort for PBS. In Allegheny
County, the PLUS effort is being
spearheaded by the United Way as part
of its new community problem solving
focus. The United Way has convened a
PLUS Task Force consisting of
representatives from over 50 community
agencies who are mobilizing adult

literacy programs for the 180,000
Allegheny County residents who cannot
read or write at a level that allows them
to deal with the basic skills of life. The
United Way PLUS Task Force is focusing
in particular on helping unemployed
literacy levels that will help them find
jobs in our growing service and high tech
economy. We hope that all the citizens
of the City of Pittsburgh and the County
can maximize their potential and become
productive members of our community.

We'd like to thank Council and
Michelle for all of their support and help
in this effort and can assure you that the
United Way PLUS Task Force will
continue to make sure that the resources
are available to help as many people who
are willing to come forward and want to
increase their literacy levels.

Thank you very much.

Ms. Woods:

On behalf of the Volunteer
Literacy Councils, I'd like to thank you
for acknowledging this day and this
month because in addition to being a
societal problem and economic problem
and community problem, we've
acknowledged that its also an individual
problem. We hear all of the numbers but
this also makes us aware that this could
be someone from our neighborhood,
someone we know, and that the one on
one, as well as the teachers and all of
the others being involved bring this home
to the impact that this is an issue for all
of us.

Thank you.

The Chair:

Thank you all very much.

Michelle Madoff:

You know, the problem is that there is a stigma attached, for some reason, to not learning how to read or write and we hope that Council being supportive will get people to feel that they are not stigmatized, they can do something, and we want to help.

The Chair:

Thank you.

I have one more resolution that I'd like to take right now. I'd like to ask Dr. Reyes to come up, please.

The Chair presents

No. 1459 WHEREAS, the Hispanic Forum of Pennsylvania, Inc., has been chartered as the first social service and advocacy agency to serve Pittsburgh's Hispanic community; and

WHEREAS, in recent years, there has been a rapid growth in the Hispanic minority with significant levels of poverty and the myriad social problems attendant with economic deprivation; and

WHEREAS, in response to these conditions, the Hispanic Forum of Pennsylvania, Inc., aggressively intervenes to provide opportunities for this increasingly visible segment of our population to break the cycle of poverty; and

WHEREAS, the problems facing Hispanics in our community and across the United States include such things as the formation of social networks to preserve Hispanic culture and heritage, increased English-language proficiency, and the need for vocational, educational, and employment opportunities.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh recognize the invaluable assistance provided Pittsburgh's 17,500 Hispanic Americans by the Hispanic Forum of Pennsylvania, Inc.

Mr. O'Malley moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Dr. Reyes:

I would like to take this opportunity to thank all the Councilmembers and the Council President for this recognition. I would also like to thank the people who were today at our reception at the Press Club for all their support.

I am hopeful that all of you people who are becoming aware more and more of the situation with literacy, I would like to re-emphasize that this segment of the population is one that is really hurting in the area of illiteracy.

Thank you very much.

The Chair:

Thank you very much, Doctor.

Mr. DePasquale presented

No. 1405 Resolution providing for the issuance of a warrant in favor of Frank Dee Company (Francesco DiGiacomo, Owner) in the amount of \$864.00 in payment of Extra Work, being in addition to the original contract price of \$30,000.00 on Controller's Contract No. 28261, furnished for the benefit of the City in connection with the Marble

Restoration in the Offices of the Treasurer and City Controller, payable from Code Account LB 84-10. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 1406 Resolution amending Res. No. 899, effective October 3, 1985, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering/Architectural Services in connection with the Design of the Public Safety Boat Docks and Building; and providing for the payment of the cost thereof," by amending the title and by increasing the project allocation by \$40,000.00 (from \$50,000.00 to \$90,000.00), chargeable to and payable from Code Account LB 84-02.

Also,

No. 1407 Resolution providing for a Contract or Contracts or use of existing Contracts, for the Renovation of the Rhododendron Shelter, at a cost not to exceed \$120,000.00, chargeable to and payable from EC 86-57.

Also,

No. 1408 Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Community Affairs, for a grant in connection with the Exhibitory of the Zoo, Phase IV: Tropical House, providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Renovation, providing for required assurances; providing for the execution of payment vouchers on Letter of Credit; providing for the certification of

authorized signatures; and for the deposit of funds into Unrestricted Cash.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 1409 Resolution transferring the amount of \$2,500.00 from Code Account 1633, Materials, to Code Account 1631, Miscellaneous Services, and the amount of \$3,500.00 from Code Account 1632, Supplies, to Code Account 1635, Equipment, all accounts within the Bureau of Operations - Painting Division, Department of Public Works.

Also,

No. 1410 Resolution transferring the amount of \$120,000.00 from Code Account 1608, Salaries and Wages, Regular Employees, to Code Account 1501, Premium Pay, both accounts within the Department of Public Works.

Which were read and referred to the Committee on Finance.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 1411 Resolution transferring the sum of \$40,000.00 from Code Account No. 1167, Wages, Regular Employees, to Code Account No. 1177, Garbage, Refuse and Ash Disposal, Department of Environmental Services.

The transfer is necessary to cover the cost of the additional tonnage this year.

Which was read and referred to the Committee on Finance.

Also,

No. 1412 Resolution amending Resolution No. 95, effective February 17, 1986, entitled: "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the rental and repair of equipment in the City of Pittsburgh's Capital Construction Division, and providing for the payment of the cost thereof," by increasing the total allocation by \$25,000.00 (from \$155,000.00 to \$180,000.00), chargeable to and payable from Code Account PW 86-12, Capital Construction Division.

Also,

No. 1413 Resolution granting unto Charlene Chirum and David and Helen McCracken, their successors and assigns, the privilege and license to construct, pave, maintain and use at their own cost and expense, a driveway for off-street parking on a portion of the right-of-way of Bellaire Place in the 32nd Ward of the City of Pittsburgh.

Also,

No. 1414 Communication from James Norman Walker, Director, Department of Environmental Services, requesting authorization for Phyllis Givson and Barry McMeekin to attend the Annual Conference of the Pennsylvania Vector Control Association at the Lake Harmony - Pocono Holiday Inn, at White Haven, PA from October 15-17, 1986, at a cost not to exceed \$1,200.00, payable from the Rodent Control Program Account.

Which were severally read and referred to the Committee on Public Works.

Michelle Madoff presented

No. 1415 Communication from Daryl Smith, Director, Department of Water, requesting authorization for Dr. John Kuchta to attend the Annual Water Quality Technology Conference in Portland, Oregon from November 16-20, 1986, at a cost not to exceed \$1,300.00, payable from Code Account No. 1922, Miscellaneous Services.

Also,

No. 1416 Communication from Daryl Smith, Director, Department of Water, requesting authorization for David Kearney, Thomas Stevenson, Robert Mueller and Stephen Cady to attend a 6-weeks training course entitled, "Water Operator Training (Water Supply Systems)" at the Westview Water Plant scheduled for 6 consecutive Fridays from September 26 - October 31, 1986, at a cost not to exceed \$280.00, payable from Code Account No. 1922, Miscellaneous Services.

Which were read and referred to the Committee on Water.

Mrs. Masloff presented

No. 1417 Resolution authorizing the issuance of a warrant in favor of Roth Cash Register Company, Inc. in the amount of \$1,611.00 for the purchase of two cash registers for Phipps Conservatory, chargeable to and payable from the Phipps Conservatory Trust Fund (PCTF), Department of Parks and Recreation. (PRIOR APPROVAL GRANTED)

Also,

No. 1418 Resolution authorizing

the issuance of a warrant in favor of Roth Cash Register Company, Inc. in the amount of \$805.50 in payment for the purchase of a cash register for the Pittsburgh Aviary, chargeable to and payable from the Aviary Trust Fund, Department of Parks and Recreation. (PRIOR APPROVAL GRANTED)

Also,

No. 1419 Resolution authorizing the issuance of a warrant in favor of Sal Reck Equipment Company in the amount of \$750.00 for services provided to the Pittsburgh Aviary, chargeable to and payable from the Aviary Trust Fund (ATF), Department of Parks and Recreation.

Also,

No. 1420 Resolution authorizing the issuance of a warrant in favor of Kesten & Egerman, in the amount of \$782.00 in payment for the purchase of an ice machine for the Schenley Park Golf Course, chargeable to and payable from Code Account 1808, Equipment, Department of Parks and Recreation.

Also,

No. 1421 Resolution authorizing the issuance of a warrant in favor of Donald R. Frey and Company for the Buc's Budget System (Computer Software) in the amount of \$1,955.00, chargeable to and payable from Code Account SCPTF, Senior Citizens Trust Fund, Department of Parks and Recreation. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Also,

No. 1422 Resolution providing for

an Agreement or Agreements with an independent contractor or contractors to provide professional services for monument renovations for the Department of Parks and Recreation, at a cost not to exceed \$76,000.00, chargeable to and payable from Code Account 1801, Miscellaneous Services, Department of Parks and Recreation.

Which was read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 1423 Resolution transferring \$6,000.00 from Code Account No. 1022, Salaries, Regular Employees to Code Account No. 1022, Premium Pay. This transfer of funds is necessary to replenish the soon to be depleted Premium Pay Account.

Which was read and referred to the Committee on Finance.

Mr. O'Malley moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

No. 1424 Resolution providing for the issuance of warrants in the amount of \$4,750.00 to Computer Centers of America and \$732.16 warrant to the Texwipe Company, for an aggregate total of \$5,482.16 for equipment and wiping materials, specially ordered items not included on the price lists of present City contracts, payable from Code Account No. 1044.

Also,

No. 1425 Resolution authorizing the transfer of \$28,000.00 from Code Account No. 1060, Salaries, Regular Employees, as follows: \$18,000.00 to Code Account No. 1061, Salaries, Temporary Employees and \$10,000.00 to Code Account No. 1061-1, Premium Pay, all within the Department of Finance. This transfer of funds is necessary to cover the cost of salaries for temporary employees for the remainder of the year and to cover the cost of overtime that will be scheduled for regular employees for the balance of the year.

Also,

No. 1426 Resolution providing for a License Agreement with WRS Motion Picture Lab, granting grading and planting of trees on City owned property located in the 4th Ward, Bouquet Street, designated Block 27-S, part Lot 150.

Also,

No. 1427 Resolution authorizing the Mayor and the Directors of the Department of Finance and the Department of Public Works, on behalf of the City of Pittsburgh to enter into a lease with the Jennison Corporation, leasing a portion of Greenway Drive in the 28th Ward of the City of Pittsburgh for a term of twenty years commencing the effective date of this Resolution. An initial rental of \$230.00 shall be paid on the execution of this lease.

Also,

No. 1428 Resolution authorizing the Mayor and the Director of the Finance Department on behalf of the City of Pittsburgh, County of Allegheny and School District of Pittsburgh to transfer its rights, title & interest, if any, for certain 3 T.B. properties in the

21st Ward to PennDOT for a total consideration of \$74,560.00.

Also,

No. 1429 Communication from Edward Walkowski, Manager, City Information Systems, requesting authorization for Deborah Miskovich and Evelyn Hesch to be trained in the operation of a collection software package being purchased from Collection Core, Inc. in Norfolk, Virginia from September 7-12, 1986, at a cost not to exceed \$2,500.00, payable from Code Account No. 1043, Miscellaneous Services, City Information Systems. (PRIOR APPROVAL GRANTED)

Also,

No. 1430 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Dave Farley to attend the Pennsylvania Service Delivery Area Association in Harrisburg, PA on September 25, 1986, at a cost not to exceed \$350.00, payable from the JTPA-1 Trust Fund, federal funds.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 1431 Resolution amending Res. No. 476, effective June 10, 1986, entitled: "Providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1986 Community Development Block Grant Program; and providing for the payment of the costs thereof," so as to increase the total allocation of funds by \$53,000.00 (from \$8,229,000.00 to \$8,282,000.00) and to make adjustments to line items and create new line items.

Also,

No. 1432 Resolution providing for an Agreement or Agreements with Generations Together for administrative assistance with their youth volunteer services for the elderly program, at a cost not to exceed \$15,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Option" (CC-86-01).

Also,

No. 1433 Resolution providing for an Agreement or Agreements with Lawrenceville Development Corporation for administrative assistance in developing housing activities for low/moderate income families, at a cost not to exceed \$18,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Unspecified Local Option" (CC-86-01).

Also,

No. 1434 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance with the Commonwealth of Pennsylvania Department of Community Affairs for an additional grant in the amount of \$500,000.00, making a cumulative amount of \$4,098,400.00, in order to further development of the Neighborhood Housing Program.

Also,

No. 1435 Resolution providing for a Fourth Amendatory Neighborhood Housing Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$500,000.00 in Pittsburgh Home Ownership Program

Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs.

Also,

No. 1436 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$1,100,000.00 to the Pennsylvania Department of Community Affairs for the Pittsburgh Economic Development Fund Program.

Also,

No. 1437 Resolution providing for the Pittsburgh Economic Development Fund Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$1,100,000.00 in Community Development Block Grant Business Investment Fund Program Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs.

Also,

No. 1438 Resolution providing for a 1986-1987, H-93 Housing Project Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh to provide certain assurances required in connection with an application for a grant in the amount of \$400,000.00 with the Commonwealth of Pennsylvania's Department of Community Affairs for the H-93 Housing Project.

Also,

No. 1439 Resolution authorizing the Urban Redevelopment Authority of

Pittsburgh to submit an application for financial assistance with the Commonwealth of Pennsylvania Department of Community Affairs for an additional grant in the amount of \$400,000.00, making a cumulative amount of \$600,000.00, in order to further development of the H-93 Housing Project.

Also,

No. 1440 Resolution authorizing a Sixth Amendatory Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the North Shore Redevelopment Program in the amount of \$1,800,000.00, providing for certain changes in the financing of the Project, including the transfer of \$295,400.00 of City Bond Funds and the balance in Eleventh Year Community Development Block Grant Funds to the Authority; the conveyance of additional city-owned property to the Authority; waiver of permit and license fees and charges; clarification of provisions for the construction and dedication of proposed public improvements; the abandonment of water and sewer lines; and the vacation of certain streets; and for the updating and clarification of certain technical provisions of the Cooperation Agreement.

Also,

No. 1441 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance with the Commonwealth of Pennsylvania Department of Community Affairs for an additional grant in the amount of \$200,000.00, making a cumulative amount of \$400,000.00, in order to further development of the Streetface Program.

Also,

No. 1442 Resolution approving the proposal dated September, 1986, for redevelopment activities in Redevelopment Area No. 39 - North Shore, located in portions of the 22nd Ward and 23rd Ward of the City of Pittsburgh; approving Modification No. 4 to the Redevelopment Area Plan/Urban Renewal Plan; and making certain findings related thereto.

Also,

No. 1443 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance with the Commonwealth of Pennsylvania Department of Community Affairs for an additional grant in the amount of \$1,800,000.00, making a cumulative amount of \$11,605,315.00, in order to further development of the North Shore Project.

Also,

No. 1444 Resolution providing for a First Amendatory Streetface Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$200,000.00 in Urban Development Action Grant Repayment Funds as the local matching share for a Grant Repayment Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day

following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

The Chair:

I would like to remind my colleagues that from now on when you have any comments or motions that you will address this Chair or there will not be a motion honored. Do I make myself clear?

Michelle Madoff:

Excuse me, Mr. Chairman, point of order. I don't know what you're referring to.

The Chair:

I'm just referring to the motion that was just made. You will address this Chair or there will not be a motion honored.

Mr. Pollock, do you have a problem.

Mr. Pollock:

I don't have a problem.

The Chair:

From now on, when you want to address this Chair, you speak to me and not to anybody else.

Mr. Pollock:

I wasn't addressing the Chair.

The Chair:

You are out of order.

Also,

No. 1445 Resolution providing for an Agreement or Agreements with the Port Authority Transit of Allegheny County for continuation of the Hill District and Oakland Loop Bus for transportation from May 1, 1986 through April 30, 1987, at a cost not to exceed \$200,000.00, chargeable to and payable from the 1986 Community Development Block Grant Program, "Hill/Oakland Loop Bus", Department of City Planning (CP-86-07).

Which was read and referred to the Committee on Planning, Housing and Development.

The Chair presented

No. 1446 Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to change the name of the Morningside Recreation Center to the Joseph B. Natoli Recreation Center. —
(SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 1447 Petition from the residents of the City of Pittsburgh, requesting a public hearing concerning the impact of the LTV bankruptcy in the community of Pittsburgh, the future of the electric furnaces in South Side, the coke ovens in Hazelwood, severance pay, retiree's pensions and benefits; and how the Steel Valley Authority and other governmental bodies might cooperate in achieving a positive solution in this situation. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Also,

No. 1448 Petition from the residents of the City of Pittsburgh, Northview Heights, 26th Ward, requesting a public hearing to address the community's needs for better and more efficient crime prevention and public safety. Also, petition Council in an attempt to create a more cooperative atmosphere between the Housing Authority Police, Northview Heights residents and the Pittsburgh Police. (This petition is invalid in accordance with Section 320 of the Home Rule Charter).

Also,

No. 1449 Communication from Thomas Flaherty, City Controller, submitting the Fiscal Audit of the Bureau of Emergency Medical Services, Department of Public Safety, for the years ending December 31, 1985 and 1984.

Which were severally read, received and filed.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1450

Report of the Committee on Finance for September 10, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1286

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Gannett Fleming Transportation Engineers, Inc., in the amount of

\$34,324.42 in payment of Emergency Engineering Services in connection with the Bloomfield Bridge/Melwood Avenue Earth Movement Evaluation, Phase IV Construction; and providing for the payment thereof (PRIOR APPROVAL GRANTED)."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1287

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Dick Enterprises in the amount of \$1,396.11 for providing a flashing arrow board during the partial closing of the Ft. Pitt Boulevard Bridge, Eastbound, while repairing a hinge connection under an Emergency Contract; and providing for the payment thereof (PRIOR APPROVAL GRANTED)."

Which was read.

Michelle Madoff:

On Bill 1287, Mr. President, I had asked for information as to what the cost of purchasing one of the arrow trucks would be. I did not receive that and because I did not receive it, although I know the bill has to be paid, I am going to vote no on that bill.

The Chair:

If I can, Michelle, I remember you asking but you didn't give a specific time when you would like it. You just asked them to acquire it and to let you know. I'm not trying to stick up for Daryl Smith or anything --

Michelle Madoff:

Well I got some information back but it is not really terribly clear, that we should be spending \$1396.00. It just said they leased it -- it's the same letter we got originally. You've been around that business long enough to know that obviously in a City this size quite frequently we're going to need that kind of equipment. We have people in our Water Department doing repairs in various parts of the City on narrow streets that are highly trafficked and there are no barrels. There's nothing to protect the men. This arrow might do the job.

I think maybe we can focus in on a need for an item instead of leasing. We've done that with our fleet. We lease cars, we lease back-hoes for our Water for 17 years. We repair them instead of going out and buying them even second hand from bankruptcy sales where somebody may have had it a month and its still under warranty. We just never really got down to the fact that the City doesn't have the money to do this kind of thing anymore and we have to be creative in our financing. So I'm just

going to do a protest vote on that.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8

NOES 1

(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1288

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Green International, Inc. in the amount of \$4,763.25 in payment of Engineering Services in connection with the Emergency Pin Plate repairs of Span 16 - Ft. Pitt Boulevard Bridge, Eastbound; and providing for the payment thereof (PRIOR APPROVAL GRANTED)."

Which was read.

Also,

Bill No. 1289

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company (Peter J. Nicholson, President) in the amount of \$4,635.65 in payment of Extra Work, being in addition to the original contract price of \$613,744.00 on Controller's Contract No. 27002-F, furnished for the benefit of the City in connection with the Reconstruction of the Monroe Street Wall; and providing for the payment thereof (PRIOR APPROVAL GRANTED)."

Which was read.

Also,

Bill No. 1290

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Trumbull Corporation (Perry J. Dick, President) in the amount of \$2,603.30 in payment of Extra Work, being in addition to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with Reconstruction of Grant Street, Phase I; and providing for the payment thereof (PRIOR APPROVAL GRANTED)."

Which was read.

Also,

Bill No. 1307

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Hollowood Music & Sound Company, in the amount of \$16,567.00 in payment for Replacement of Stolen Audio-Visual Equipment, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof (PRIOR APPROVAL

GRANTED)."

Which was read.

Also,

Bill No. 1308

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Fort Pitt Fence in the amount of \$1,175.00 in payment for safety fence furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1309

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Machinery Rental Corporation in the amount of \$1,800.00 in payment for the rental of a roller furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1310

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of American Contractors Equipment Company in the amount of One Thousand Four Hundred Ninety-Five Dollars (\$1,495.00) in payment for freight for Cranes for Regatta Services furnished for the benefit of the City, without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1311

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Bellbird, Inc. in the amount of \$1,650.00 in payment for the purchase of birds furnished for the benefit of the City. Prior approval for this purchase was granted on Council Bill No. 260 and is to be paid from the \$10,000.00 fund."

Which was read.

Also,

Bill No. 1312

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Hendee Zoological Co. II in the amount of \$1,650.00 in payment for the purchase of birds furnished for the benefit of the City. Prior approval for this purchase was granted on Council Bill No. 260 and is to be paid from the \$10,000.00 fund."

Which was read.

Also,

Bill No. 1313

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the American Association of Zoological Parks and Aquariums (AAZPA), in the amount of \$1,657.87, in payment for the expenses for the Visiting Committee to inspect the Pittsburgh Zoo as part of our application for accreditation, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof (PRIOR APPROVAL GRANTED)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1314

A Resolution entitled, "Resolution transferring \$175,000.00 from Special Parks Program Trust Fund (SPPTF), Index Code 254359 to Code Account 1838, Miscellaneous Services, Index Code 183806 in the Department of Parks and Recreation." (AS AMENDED IN COMMITTEE BY SUBSTITUTE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Which was read.

Also,

Bill No. 1316

A Resolution entitled, "Resolution providing for the issuance of a \$1,500.00 warrant in favor of Michael & Mary Moeslein in settlement of claim for property damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the

votes of Council in the affirmative, the bill passed finally.

Which was read.

Also,

Bill No. 1317

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a professional consulting firm to prepare the annual defense spending report for the City of Pittsburgh."

Which was read.

Mr. Givens:

On Bill 1317, the bill preparing an annual defense spending report for the City of Pittsburgh, I'd like my remarks to be brought up on that bill.

(BEGINNING - MR. GIVENS' REMARKS ON BILL NO. 1317 - WEDNESDAY, 9/10/86)

Mr. Givens:

I think we are spending a lot of good money here. It doesn't tell us anything. I mean, certain people want to know what the federal government is spending in regards to defense spending in the City of Pittsburgh and they really can't tie it down on one particular area because say Rockwell International — most of their plants are out in California anyway, so when you address it here you're just talking about office staff, etc., so it's a report that we're paying upwards to \$10,000. Now if someone wants to pay or help the taxpayers in the City of Pittsburgh, save them \$10,000, we can put that to good use.

Mr. Pollock's remarks, I agree that the people had voted on it, etc., but in

doing so as Mr. Wagner pointed out, we're not getting our dollar's worth in the report. The federal government, because of the classified nature of many of the programs that are existing underneath it are never going to tell you where these programs are located. I said it at the public hearing, I voted against the legislation when it came through — we'd be giving to our enemies all the prime targets in the United States. Now that is assinine. However, you can get one little report from the federal government because they put it out every year, it costs us \$3.50 and it will give you the same information that you are getting out of this report that we're authorizing up to \$10,000. I submit to all of us to do this type of legislation, to permit this to go on is — if the taxpayers, those people who voted for this thing and the people who even put the resolution forward because had they done their study they would have found out that you can't do it and if you can do it there's a government report for \$3.50 that will tell you how to do it. So why should we spend up to \$10,000? This is crazy.

The President had made a motion that this be done in-house and I wholeheartedly agree with him.

Within another 50 days we're going to be looking at 1987 budget and I can almost assure you that there's going to be some constraints, serious constraints within that budget. For us to spend \$10,000 on this as the Director has so indicated, that from that report is the basic thing, then you look at the social impact that it has on our particular community. Where can you justify social impact when you talk about your own security, the security of this nation and that's the underlying situation. I dare say that in any other nation that we have in this country and knowing what's happening and the terroristic threats

against people flying on major airlines and ships overseas, what happens to them? And what's happening in the U.S.S.R. when we're trying to sit down and faithfully negotiate and this is what this boils down to. I can't spend \$10,000 of the taxpayers' money and then come up here in 50 days and have to go out and tax the people of the City of Pittsburgh. The City of Pittsburgh is governed to serve primarily services oriented streets, roads, bridges, etc. This is an area that's really completely out of our purview. We have to have a report and we have to do it in-house and save the taxpayers \$10,000.

(END OF REMARKS)

Mr. Givens:

The underlying fact is that it's not just \$10,000 as the bill so indicates, but \$30,000 over a three-year period of time.

As I emphasized Wednesday on this particular bill, that \$30,000 that we're spending on this defense bill when everybody else is saying cut back, and even Washington, D.C., here we are in the City of Pittsburgh spending more money for defense studies. And that seems kind of ironic to me for us to be increasing our amount of money. We used to do it in-house and now we don't. But now we find it costing the taxpayers \$10,000 a year.

That \$30,000, I submit to this Council, in another less than two months, we're going to be fighting over a 1987 budget wherein we're going to be cutting back employees of the City of Pittsburgh because we will not be able to tax the people any more than what we've already taxed them. To include \$30,000 is to say that we're going to cut out two employees working for the City of Pittsburgh and we're going to be hit and hit very hard this coming fiscal year of

1987 and I would say that in-house we can do this right now and come up with the same facts and the same figures and thus saving two employees of the City of Pittsburgh or saving \$30,000 for the taxpayers of the City.

Again, I ask my fellow Councilmembers who voted against this bill last week that they consider their vote and those who voted for it that they consider their vote again because we're going to have to look every place we can in this budget in order to save some money so we don't have to hurt our City employees' 1987 budget. We're going to have to possibly be laying some employees off; here's where we can save two City employees and do some service work out there that I read about in our local newspapers that we should be doing; taking care of our City streets. That takes manpower and energy and money; here we we can save some of that money.

Michelle Madoff:

If my colleagues will remember, this is an issue that really we cannot address. The public has spoken, they've had a public hearing, and there's been a request that we supply this information. It's out of our hands.

It is conceivable that we could ask to do it in-house with Mr. Schmeiser but he indicated that he felt it would not be the kind of report that would be meaningful nor that he could spend the time. It would be more cost effective for them to farm it out as they are doing so that we could make more money for the City of Pittsburgh by people in his department doing what they're supposed to be doing rather than working on something that they're not familiar with.

In the same vein, I might point out that I did read something in the media

that I found most interesting. There is now a mechanism for recording measurements so that we can have a verifiable arms control. I think what the people who testified before us were saying was that we don't want to spend money on military developments if that money is so badly needed for people who aren't working and aren't eating and lunch programs and so forth, to cut back on some of the military program. But you can't do it if we're not protected. But if there is indeed a way of having a verifiable arms control, then that sheds a different perspective and a different light on the kind of dollars that are needed. And perhaps in the study that would be coming back to us, that would be factual so that we, and the public in general, and the public has asked us to look at this, can make some kind of intelligent comments. We cannot make decisions in a vacuum.

On an issue such as voting on the Pirates we paid something like \$25,000 to have a consultant so we could vote intelligently. I don't think that we're asking for a lot of money so this Council can be an informed Council.

Mr. Givens:

I'd just like to make one response to that. Had the people of the City of Pittsburgh, on the referendum that they voted for to get this report, had known that it was going to cost them some \$30,000, \$10,000 a year, I would dare say that that referendum would have failed and failed miserably. It was only because of some political pushing and shoving here when the first report came out from the City that they felt it wasn't sufficient. Well, it's the same report that's submitted by the government every year as to what defense monies are being spent in our local area. Any more than that they're just spinning their wheels. If we're going to try to find out

what social ills are happening because of the defense spending, all I can say is thank God for the veterans who spent all their blood and toil in defending this country on behalf of the Congress and the people of this country who said we needed to be defended. That's what they are doing now and for us to sit here in judgment on a \$10,000 report and say that the Federal Government is doing their job or not doing their job on behalf of the people and the citizens of the City of Pittsburgh to secure our defense, and that's all they're doing is securing our defense, I would say that it's a wasteful \$10,000. Let's save the people, the City taxpayers, and let's keep a few more employees working for the City of Pittsburgh because we're going to take \$30,000 out of that '87 budget coming up and it's going to cost the employees of the City and then we cannot go out and do the job that the people of the City of Pittsburgh have put us here to do and that is to help the City of Pittsburgh. That's the Federal Government. Let them go to Billy Coyne and Doug Walgren and Bailey if they want a report of what's happening at the Congressional level. The City of Pittsburgh should not be in this type of business.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. O'Malley
Michelle Madoff	Mr. Pollock
Mrs. Masloff	Mr. Wagner

AYES 6

NOES 3

(MR. DEPASQUALE, MR. GIVENS AND MR. WOODS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1318

A Resolution entitled, "Resolution providing for the City Controller and the Director of General Services to enter into a Contract or Contracts, or for the use of existing Contracts to purchase and install work stations and various office equipment for Controller's Office."

Which was read.

Also,

Bill No. 1319

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in various wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County Block and Lot Numbers."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mr. O'Malley
Mr. Givens Mr. Pollock
Mr. Grabowski Mr. Wagner
Michelle Madoff Mr. Woods
Mrs. Masloff (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1356

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the International Business Machines Corp., P.O. Box 12147, Philadelphia, PA 19105, in the amount of \$2,118.00, in payment for rental of equipment furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1357

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mary Metzler, Certified Document Examiner, R.D. 2, Box 394, Oakdale, PA 15071, in the amount of \$875.00 for Laboratory Examinations, Pre-Trial Conferences and Reports to prepare for a trial and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills

pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mr. O'Malley
Mr. Givens Mr. Pollock
Mr. Grabowski Mr. Wagner
Michelle Madoff Mr. Woods
Mrs. Masloff (Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 1451

Report of the Committee on Public Works for September 10, 1986 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1297

A Resolution entitled, "Resolution granting unto DeVos, Inc., their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a security fence across a portion of the roadway of Edwards Way in the 16th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1298

A Resolution entitled, "Resolution granting unto Robert and Michelle Streb, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, off-street parking and recreational area on the western 25' portion of the right-of-way of Mt. Joseph Street in the 29th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1299

A Resolution entitled, "Resolution granting unto Mr. and Mrs. Michael R. McCarthy, 1827 Buena Vista Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an observation deck over a portion of Unnamed Way in the 25th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1300

An Ordinance, "Ordinance amending the Pittsburgh Code, Title Four-Public Places and property, Article I-Streets and Sidewalks, Chapter 416-Obstructions, Sections 416.02-Permit Fees and Minor Street Obstructions and 416.04-Permit Fee for Street Encroachments and Major Street Obstructions: by increasing the Permit Fees."

Which was read.

Also,

Bill No. 1301

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for - North Homewood Estates Plan."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 1452

Report of the Committee on Planning, Housing and Development for September 10, 1986 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1223

An Ordinance, "Ordinance amending the Pittsburgh Code, Title Nine, Zoning

District Map No. 7 by changing: From "C3" Commercial District to "R4" Multiple-Family Residence District certain property located at the northeast corner of WYLIE AVENUE and ROBERTS STREET, 3rd Ward."

Which was read.

Also,

Bill No. 1331

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the South Side Local Development Company, located at 1141 East Carson Street, to provide support for the Main Street Program."

Which was read.

Also,

Bill No. 1332

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hunger Action Coalition for administrative assistance and operating funds for their Penn Avenue Office in an amount not to exceed \$50,000.00."

Which was read.

Also,

Bill No. 1333

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Action Against Rape for professional services in connection with their counseling program for victims of sexual abuse in an amount not to exceed \$50,000.00."

Which was read.

Also,

Bill No. 1334

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Community Services, Inc. for the implementation of the 'Home Security Program', including Block Watch Organizers, and the installation of locks and smoke detectors in the City."

Which was read.

Also,

Bill No. 1335

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the Community Self-Help Beautification and Community Gardening Programs on highly visible vacant lots in Community Development Neighborhoods in an amount not to exceed \$17,000.00." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1336

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Support (formerly Legal Advocacy for Women), an organization that provides counseling and information for the low-income women experiencing problems in obtaining child support payments, in an amount not to exceed \$40,000.00." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1337

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Center for Victims of Violent Crime to provide administrative support to the Agency."

Which was read.

Also,

Bill No. 1338

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Community Services, Inc. located at 1835 Centre Avenue for the provision of administrative assistance in carrying out programs for public services to low and moderate income persons."

Which was read.

Also,

Bill No. 1339

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Elder-Ado, Inc. for housing counseling services to assist elderly and low income persons."

Which was read.

Also,

Bill No. 1340

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Homewood-Brushton Citizens Renewal Council and the Urban Redevelopment Authority for the rehabilitation of a structure for use as a multi-purpose recreation center."

Which was read.

Also,

Bill No. 1341

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Parental Stress Center Inc., to provide administrative support to the Agency."

Which was read.

Also,

Bill No. 1342

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Mediation Center, Inc. for administrative costs in the operation of their program aimed at improving/expanding mediation of disputes, at a cost not to exceed \$15,000.00."

Which was read.

Also,

Bill No. 1343

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Community-Based Organizations for community and economic development planning assistance in various neighborhoods in the City."

Which was read.

Also,

Bill No. 1344

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Ursuline Center for administrative support in operating programs serving elderly, homebound elderly, unemployed, disabled, and child

care center."

Which was read.

Also,

Bill No. 1345

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Freedom Unlimited and the Urban Redevelopment Authority for the renovation of a facility located at 2201-2203 Wylie Avenue for community group office space."

Which was read.

Also,

Bill No. 1346

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Horizon Homes, Inc. and the Urban Redevelopment Authority for the rehabilitation of a building for additional office space located at 5614 Elgin Street."

Which was read.

Also,

Bill No. 1347

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Homewood Brushton Community Improvement Association and the Urban Redevelopment Authority of Pittsburgh for the rehabilitation of a facility to expand the organization's social services program and provide a domiciliary care facility at 1007 Blackadore Street."

Which was read.

Also,

Bill No. 1348

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hill House Association of Pittsburgh and the Urban Redevelopment Authority for renovation of the building at 2038 Bedford Avenue at a cost not to exceed \$27,000.00."

Which was read.

Also,

Bill No. 1349

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Opportunities Industrialization Center, Inc. and the Urban Redevelopment Authority for the rehabilitation of their Fifth Avenue and Forbes Avenue buildings in an amount not to exceed \$40,000.00."

Which was read.

Also,

Bill No. 1350

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Perry Hilltop Citizen's Council for the purchase of a van to transport/deliver food to low and moderate income families, at a cost not to exceed \$15,000.00."

Which was read.

Also,

Bill No. 1351

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Centre Avenue YMCA

and the Urban Redevelopment Authority for the purpose of developing a recreation/tot lot area on YMCA property in an amount not to exceed \$20,000.00 and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1352

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an agency or agencies to implement and coordinate the "Pittsburgh Literacy Initiative", a pilot project aimed at promoting healthy parent/child relationships in low-moderate income families."

Which was read.

Also,

Bill No. 1353

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hill District Citizens Development Corporation and the Urban Redevelopment Authority for the rehabilitation of a building for additional office space."

Which was read.

Mr. Wagner:

Mr. President, in regard to all of the CDULO funding bills, I would just like to make a comment. I support all of these bills and will vote for all of them but it has already been brought to my attention that letters have gone out to various groups saying that these dollars have been allocated, by Council and by the Administration. I have problems with that in that I firmly believe that

bills must be passed before people are reassured that the funding is there. For every piece of legislation that is here under ULO, CD and future legislation, it not only takes Council the majority of Council, to support it but in many instances, the Administration also. I think it should be viewed as such and I think its important that we do not send any false hopes prior to legislation being passed.

The Chair:

I totally agree with you. I've seen the letter.

Michelle Madoff:

Who signed it?

The Chair:

The Administration. It wasn't only the letters that were sent out, it also appeared in the paper that the money was allocated for these various projects. So they got it from both sides. But I agree with you.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 1453

Report of the Committee on Public Safety for September 10, 1986 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1358

An Ordinance, "Ordinance supplementing the Pittsburgh Code, Title Eight, "Fire Prevention", Chapter 803 "Amendments", Article 4, "Fire Protection Systems", Section F-410-0 "Fire Alarm Systems", by adding Subsection F-410.4 "Candella System Fee", which provides that any person who has a Candella Alarm System installed in their building shall be required to pay their annual service fee to the City by December 31, of the preceding year."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner

Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 1454

Report of the Committee on Engineering and Construction for September 10, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1292

A Resolution entitled, "Resolution further amending Resolution No. 279, effective March 26, 1981, as amended, entitled: 'Providing for a Contract or Contracts for the Reconstruction of Streets, Lighting and Waterlines for various areas of Pittsburgh's North Side in connection with the UDAG Program,' by reducing the total project allocation by \$20,333.14."

Which was read.

Also,

Bill No. 1293

A Resolution entitled, "Resolution providing for a Contract or Contract, or use of existing Contracts, for the Renovations of No. 11 E.M.S./No. 1 Rescue Headquarters; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1294

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of the North Side Public Safety Building Air Conditioning Cooling Tower; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mrs. Masloff for Members of Council presents

No. 1455 WHEREAS, in 1979, the first POW/MIA Recognition Day was observed in Pittsburgh; and

WHEREAS, there are still 2,500 American POW/MIA's unaccounted for from the Vietnam War; and

WHEREAS, 125 POW/MIA's are from Pennsylvania, including 20 residents of Allegheny County, and 11 men who made their homes in Pittsburgh; and

WHEREAS, on Friday, September 19, 1986, at 1:00 P.M. a ceremony and service for the 2,500 still missing in action will be held at the Auditorium at the Veterans Administration Medical Center, Highland Drive, which is sponsored by the Pittsburgh Chapter of Ex-Prisoners of War, and Prisoners of Corregidor and Bataan;

NOW THEREFORE, BE IT RESOLVED that the Mayor and the Council of the City of Pittsburgh hereby recognizes September 19, 1986, as "National POW/MIA Recognition Day" to increase public awareness of this issue and thereby assist in efforts to resolve the fate of our missing men; and

BE IT FURTHER RESOLVED, that the Mayor and the Council of the City of Pittsburgh wholeheartedly supports the ceremonies scheduled for Friday at the Veterans Administration Medical Center and joins the Nation in recognizing September 19, 1986, as "National POW/MIA Recognition Day".

Mrs. Masloff moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

The Chair presents

No. 1457 WHEREAS, the rich diversity of ethnic groups and traditions is one of the most vital elements of our American national and local Pittsburgh

character; and

WHEREAS, there are over 15 million Hispanic Americans in the United States, about 186,000 in Pennsylvania, and 17,500 in Pittsburgh and our neighboring communities; and

WHEREAS, these Hispanic people have contributed their skills and energies to the growth of our City, Commonwealth, and Country in the areas of culture, education, business, athletics, government, spiritual enrichment, and community life; and

WHEREAS, our nation is more resplendent than ever because of this dynamic Hispanic contribution which continues the tradition of ethnic diversity revivifying our nation;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby declares the week of September 15th through 20th as "Hispanic Heritage Week" in Pittsburgh to join with the nation for the third annual week of celebration.

Mr. O'Malley moved to adopt the resolution.

Mr. Givens seconded the motion.

Which motion prevailed.

Mr. Givens:

I want to know where their restaurant is here in Pittsburgh that we can go and eat that good Spanish food. Is there anyplace? I don't know.

Mr. O'Malley:

It's called Chi Chi's.

Mr. Givens:

I want to get a real good taco; I mean a real good one.

Mr. Givens presents

No. 1458 WHEREAS, on Saturday, September 20, 1986, the City of Johnstown, Pennsylvania will hold a Vietnam Veterans Parade at 11:00 A.M., and

WHEREAS, this parade will draw participants from across the Commonwealth of Pennsylvania and will be led by Retired Army General William C. Westmoreland; and

WHEREAS, as many as 25,000 people are expected to take part in the parade, including Governor Richard Thornburg, two winners of the Presidential Medal of Honor, helicopter and airplane flyovers, and a riderless black horse to symbolize servicemen slain in the conflict; and

WHEREAS, participants will be coming from throughout the East, and as faraway as the Midwestern and Southern states, bringing needed national attention to the sacrifices of the Vietnam Veterans, and

WHEREAS, with the participation of helicopters, planes, and jets from air bases in the Pittsburgh area, the Johnstown parade will be the largest of its kind held in the history of Pennsylvania.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh salute the organizers of the Johnstown Vietnam Veterans Parade and offer our heartfelt pride and compassion to the soldiers and families for whom this will be a solemn national event.

Mr. Givens moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Givens:

I'd just like to say a word on behalf of this resolution and that one that Sophie had read on the plight of the Vietnam Veterans.

They've never really had that tickertape parade in New York City and throughout all of the major metropolitan areas of the land. This is apparently the one in Johnstown and its too bad its not in Pittsburgh. But there was a John Stager up there, he's just one individual, one Vietnam Veteran who took it upon himself to have what is now the largest parade that any veteran's organization have had for the Vietnam Vets who have returned and in behalf of those who have not returned. One individual did this and it goes to show you what one individual can do when he puts his mind and shoulder to it for a good cause to bring people.

We have people on our Highland Drive and other military and veterans hospitals in our adjoining area. They sit up there day after day with nobody coming by to even say hello to them. Please, on this weekend, get out there and reach out to some of these veterans and say hello to them. And for those people in the viewing audience and here in this Council, if you have an opportunity to get up to Johnstown, I think we'll see something that hopefully I intend to bring back to the City of Pittsburgh and let's beat Johnstown in having one of the finest parades.

Now that September 19th has been designated as for Vietnam Veterans and

for those men missing in action and lost in action, I think you'll find that day will be for veterans now within Allegheny County with some 225,000 veterans, I think you'll find this date becoming one of that of some of the Armistice Day parades, etc., that we have had in the past. We must do this homage and honor these veterans for one purpose and one purpose only for without their blood being shed we could not sit here today and have the freedom of expression that we have in this very Council.

And you only have to read the newspapers today and yesterday to find out what freedoms we do have here and the security that we have in this country. In Paris today, two bombings by terrorists, etc. It's only because of the freedom that we have in this country, anyone that would walk into New York City and see how we live in this country, a terrorist even, he is converted on the spot to the freedom that this country has. He's totally stunned at what he sees when he's coming to destroy a country and he sees how that country is in fact working in democracy and he loses all of the gusto that he had and all of the poison that was put into his head. That is one reason we do not have the terroristic problems in this country as we do in some other countries, because of that great freedom that all of us have here, and especially the freedom of our media who expresses it so willingly in their papers day after day after day. And what the President has done for the drug thing, and he's appealing the national media to do that as well as I appealed to our local media, to give homage to our Vietnam Veterans.

Thank you, Mr. President.

Mr. DePasquale:

Dick, are you going to Johnstown?

Mr. Givens:

Yes.

Mr. DePasquale:

I'll go with you.

Michelle Madoff:

On another subject. I'm sure that all of us are sort of dismayed to get much of our news from the media. It's amazing how reporters have a lot more time than we do and can ferret out information that we sometimes are not privy to.

I read with great interest the story about the so called interaction that might be questionable on an ethics basis between Mr. Creehan of Alcosan and whatever involvement there may be, and I'm sure there will be some investigation. My great concern is not the one that is the obvious, the one that everyone is going to look at and say, was there any conflict of interest. My concern is that, and I can't believe its that long ago, I've been here about 8-1/2 years, 8 years ago I did a six month study on the sale of City properties. And the thing that I pleaded for and I think really happened in large measure, was that I wanted to give everyone in the community access to our housing stock. That means, the City being the conduit for the County, the City and the School Board, when houses were bankrupt, vacated, absent landlords, so the people who had a little bit of money, perhaps sweat equity, could restore the homes and not just let the 40 thieves have a chance at those properties. They're properties that any one of us on this Council, any member of the City is free to purchase, provided everyone has equal access.

I was dismayed to read, and I have every reason to believe that it was true, that when parties who wanted to buy the property, and boy they knew what they were buying, Arlington is going to have a new roadway, the view from that site as visualized in the media was breathtaking. I live at 1000 Grandview, I pay \$3000 a year taxes, I don't have that view. That is a very valuable piece of property and people who called to buy that piece of property were told that that is going to be a greenway. You cannot buy that piece of property.

My concern is not with Mr. Creehan. My concern is with the parties, and that was not in the Treasurer's Office, it was in either the — I don't know which agency at this point, we've changed so many times, has the property; it used to be in Lands and Buildings. I want to know the name of the person, I want a letter sent, an official request made, perhaps a post agenda, I want to know who was the person who said that you cannot have this property because its going to be a greenway. And I want to make sure that that property is put back on the market. That property has an outstanding value because of the view. We pay the taxes on Mount Washington for the view. The same footage anywhere else would be half-price. If someone is getting a piece of property with that magnificent view, I want that piece of property open to everybody to have equal access to purchase.

I am making an official request, if I may, to have the City Clerk send a letter requesting that that property sale be rescinded and that property be put on cable television where everybody can see it and everybody can have equal opportunity to buy the property, particularly the two or three first people who were turned down and were told it was going to be a greenway.

The Chair:

Michelle, I understand your concern; I think we all have the same concern. But we cannot make an official request for something like that. I suggest, if you would like to have a post agenda, please do that or send a letter of your own, but this Council, I think there are laws. The property has been bought and we can't just say that this property is going to be put back on the market, you know, here's your money back. I think there's a lot of legalities involved and I would hate to say that this Council officially is going to do that.

Michelle Madoff:

I made a request; a request is not binding. I'm requesting that the Administration rethink and put that property back up for sale. And Mr. President, may I remind you, I've been here a long time now, sales are put up for sale, resold, all the time. If the original owners of that property came back, they could still have their property back. There are numerous reasons why that sale could be rescinded. And I can't think of a better one than under false information people were told that that property was a greenway, they couldn't have that property. I think that property must be rescinded, that property must be brought back and equal access given to everybody.

The Chair:

Would you please send a letter to the Law Department --

Michelle Madoff:

That's what I'm doing.

The Chair:

Right, you send the letter. If we

send it, it's from this Council and all nine members have to agree to that.

Michelle Madoff:

Well then may I make a motion that my colleagues support me in sending this letter requesting that that property be put back for sale because we are the elected officials of this City and if we sit here doing nothing it's a sin of omission and we're condoning what has happened. I respectfully ask that we do that as a body.

Mr. Pollock seconded the motion.

The Chair:

Michelle, I still say I don't know if we can do that. We can send a letter requesting the Law Department to look into such a thing but we just can't send a letter saying that we want this property put back on the tax rolls. That's my opinion.

Michelle Madoff:

Mr. President, I think we're both saying the same thing in a little different way. Obviously if it's illegal to take it away we can't do it. But it would seem to me that a letter directed to the Law Department and to --

The Chair:

I think that's it, to the Law Department.

Michelle Madoff:

And also to the body that is handling the sale of this property requesting two pieces of information. The first one is, who said it was going to be a greenway. That's the number one question. The number two question, is it legally possible now to rescind the sale

and to put that property back up for sale so that everybody will have equal access at a piece of property, granted, that needs a lot of work, needs a lot of shoring up, but has a view that might make it very worthwhile for a lot of people, including this lady. I never knew about that property; I want to have the same information that everybody else does and I want the poorest person in this City who wants to get in there with sweat equity and some friends, like raising a barn and having the opportunity to build a house and maybe make some money on it, to have the same opportunity that Mr. Creehan had. I am not faulting Mr. Creehan.

The Chair:

Please, let's not use names.

Michelle Madoff:

It's on the front page; it's no secret.

The point I'm making is that I want equal access, for everyone to have the same opportunity. Mr. Woods, if that turned out to be a property that you wanted to pay more for than anyone else, you should have that right. Everybody should have the right but you shouldn't have it and I shouldn't have it if everybody else doesn't have it. And I don't think we disagree.

Now, whether its legally feasible can't, as yet, be determined. But my experience having spent six months studying the problem is yes, it is legally possible to do it. You just rescind the sale, return the money, and we go right ahead and put it up again to the highest bidder and that's the way the property should be developed.

The person who I'm most distressed with, I want to do this for the record, is

Mr. Lurcott. I always get back to Mr. Lurcott. He said he negotiated with the party because that was going to be the best use of the land. It appears that it is not the best; it is no different than anybody else having purchased that property including the two people who were told it was going to be a greenway. Those two people knew they had to shore up that property, those two people knew there was a landfill, but they also knew about that view. And I'd like to know what other properties are up there so that everybody will know that on a priority basis and I'd like to have Brother Richard informed to get that on our cable station which, incidentally, has been very, very successful, even in these times when the economy is suffering, of selling a great deal more property than we normally would under these conditions. Equal access to everybody; that's the least we can do.

So, my motion is to send a letter to the Law Department and to ask the question, can we get the name of who said it is a greenway and the second question is, can we legally rescind the sale and put that property back for sale. Equal access to everyone. My feeling is that if the Administration wants to, they'll find a way to do it. If there's a will, there's a way, and it is the ethical, moral and proper thing to do.

The Chair:

This is a letter from Council. Call the roll.

Mr. Wagner:

Mr. President, may I make a comment? In regard to that, the letter, I really don't think that it's the right way to go. I support you on the issue but sending a letter does not necessarily mean that the information that you wish to obtain will be provided. The proper

procedure would be a post agenda to inquire personally or a piece of legislation similar to the piece of legislation that I had several weeks ago conducting a formal investigation, if it were approved by Council.

If a letter is the way to go and if Council does approve it, I would just like to note that the Allentown Citizens Council has not been in favor of that property to be marketed; they want it to be a greenway. They would not be in favor of the property being sold back to the City and then the City reselling the property, even to a higher bidder. The area north or the downhill slope of Arlington Avenue, then intent of the City has been to keep that a greenway and to sell the City property north or the uphill slope of Arlington Avenue for development in the future when the road is completed.

So, if we are voting on a letter to be sent, I would suggest that it not state that the property would be resold if it were reacquired by the City.

Michelle Madoff:

Mr. President, may I respond, please? I think that Mr. Wagner has brought out a very pertinent point. Maybe I'm off base in saying that it should be sold because, again, if indeed it should be a greenway, perhaps we should say in the letter we would like to know who said it was a greenway, who gave the authorization to sell, and if we do not get this information within five working days, that we will then schedule a public hearing and that certainly the request by the Allentown Association should be answered in our letter, why was it not made a greenway when the Allentown Association had so requested. I think that could be the third question. We would like some information, not to always hold hearings.

The Chair:

But I thought your question was, how do we take the property back.

Michelle Madoff:

Yes, but I'm saying now that I'm not saying, okay, let's sell it to someone else; so, I'm adding a third question. Take out how do we take it back and find out what the proper procedure in dealing with that property would be, should it be resold or should it be turned into a greenway as requested by the Allentown Association, and why wasn't it. So, there's really a third question. Why wasn't the Allentown Association request honored? So, those are the three questions with a final paragraph that says, if these answers are not given within five working days, we will then request a public, official, hearing.

Mr. DePasquale:

Mr. President, a precedent was set in regards to reselling property of the City of Pittsburgh. Down here on Fifth Avenue is a street; I believe it runs from Fifth Avenue behind the Synagogue. Apparently the gentleman bought that and bought it legally and when it was found out the purchaser of that property made a parking lot out of it there was a cry and the City actually tried to rescind that sale and obviously the Law Department told them they couldn't do it, any more than you can do it in this matter here.

The Chair:

I remember that.

Roll call vote.

Michelle Madoff:

Just to get some information; an informational request.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Pollock
Mrs. Masloff	Mr. Wagner

AYES 4	NOES 4
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VOTING NO:

Mr. DePasquale	Mr. Grabowski
Mr. Givens	Mr. Woods (Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Michelle Madoff:

Hold up a minute; there's a 4-4 vote.

The Chair:

Ties fail.

Michelle Madoff:

Mr. President, may I ask a question please? In your esteemed wisdom, what is the next procedure? There is no way that I'm going to let this rest. None.

The Chair:

Ask for a post agenda, Michelle. I asked you to do that in the beginning.

Michelle Madoff:

Then I will ask for an official post agenda for, let's give them some time, let's be fair, let's say a week from Wednesday. Are we having agendas any other days except on Wednesday? Are we going to move some of the hearings? We're going to have the people from Allentown here so we may want to do it as a hearing.

The Chair:

You can have anybody you want at the post agenda.

Michelle Madoff:

I'm saying perhaps we should have a hearing as opposed to a post agenda. I think the people from Allentown are going to want to be heard. We could have avoided that with the letter. We don't want the letter; I think now we have to have a hearing. I'm going to request a hearing, not a post agenda because I think the people from Allentown want to be heard. Would that be correct, Mr. Wagner?

The Chair:

Are you making a motion?

Michelle Madoff:

Yes, I make a motion to make it a public hearing. We'll get 25 signatures if we need it.

Mr. Pollock seconded the motion.

Mr. Givens:

Mr. President, this thing has gone completely out of control, as far as I'm concerned. I don't think it's appropriate, the resolution. There should be a post agenda, let's get some evidence of what's happened. There was a newspaper article that was submitted on the thing.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff Mr. Wagner
Mr. Pollock

AYES 3 NOES 4

VOTING NO:

Mr. DePasquale Mrs. Masloff
Mr. Grabowski Mr. Woods
 (Pres't)

(MR. GIVENS ABSTAINING)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Michelle Madoff:

For the record, I will see that there will be 25 signatures from the Arlington Association. I'm sure Mr. Wagner will help me, and we will have a hearing in any event. I think you look foolish by not voting fully as leaders with what's going to happen anyway.

Mr. Givens:

She's foolish too for having something —

The Chair:

Mr. Givens, you're out of order and so are you, Ms. Madoff, for personal reflection.

Michelle Madoff:

You is a general term.

Mr. Pollock:

I think another point to be raised by the article that appeared on Sunday and then again in this morning's paper about the latest revelations involving Jim Creehan, I don't want to ask for any Council action on this at this time. I think that remains for another date after the dust has settled completely involving him, just to see how far the cancer spreads.

But I think one point that should be noted is that, and this was another article that appeared during the week, certain elected and appointed and other government officials who are required to file ethics statements have filed false, inaccurate, or otherwise misleading statements. The answer has been to this date that it was in fact nothing more than an oversight.

Well, I think that the Sunday front page banner headline article about Jim Creehan was read by enough people and discussed by enough people that anyone subsequent to this date who is caught and found to have false, inaccurate and misleading ethics statements, it can no longer be an oversight but, in fact, fraud or even further, a criminal act.

So, I want to make that my statement on record —

Mr. DePasquale:

How do you determine that? Are you on the Ethics Board? That's a matter for the Ethics Board. I resent that remark.

The Chair:

Jeep, you're out of order. When he's finished you can speak.

Mr. Pollock:

I think that should be noted and I think that anyone who is present that hears this clearly should be aware of that fact and any business interests that have not been revealed on their ethics statement should be revealed at this time.

Mr. DePasquale:

Mr. President, Mr. Creehan owes an answer only to the Ethics Commission, not the Pittsburgh Press, the Post Gazette, to Mark Pollock or anyone on this Council. If there are any violations it's for the Ethics Commission and he has a right to amend it as anyone else.

Mr. Givens:

I would just like us to go back a little bit in history. The newspapers in this city crucified the ex-President of City Council, Robert Rade Stone. He went to a court of law and was found innocent. I say to this Council that some members of this Council shoot from their hip very quickly before they have any information and before it goes to a court of law.

As Mr. DePasquale said, if there's anything wrong, it's within the filing of various reports to the Ethics Committee and the Ethics Committee then has a

right, a definite right, to come in and to investigate. Let those people do their work if the law has been violated. For certain Councilmembers to take political potshots at people who have been friendly to the various parties in this City, I think is a very cheap shot. That's why I abstained on my votes and that's why I would not vote on anything that was brought up, because its casting a shadow of doubt upon a person's character and I will not let that happen as long as I'm a Councilman on this Council.

Michelle Madoff:

I'm going to let the last one rest but I just wanted to set something straight for the record. The term "you" means plural as well as singular. When I used the term "you" I meant the plural, not anyone in particular. Thank you.

And on the motion of **Mr. DePasquale**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Monday, September 22, 1986

No. 36

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, September 22, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

I would like to ask Mr. Dave Glavin to come up please, for the Allegheny Labor Council, to receive this resolution.

The Chair presents

No. 1495 WHEREAS, the Allegheny County Labor Council is the chartered extension of the American Federation of Labor and the Congress of Industrial Organizations; and

WHEREAS, the ACLC Charter recognizes it's Officers, affiliated local unions and delegates to be the representatives of the American Labor movement in the Pittsburgh metropolitan area; and

WHEREAS, these officers, affiliated local unions and delegates are dedicated to improving the working conditions of themselves and their fellow citizens; and

WHEREAS, they are concurrently dedicated to improving the quality of life for all in our community and have contributed to the economic progress, social stability and exercise of citizenship in Allegheny County; and

WHEREAS, the Allegheny County Labor Council celebrates it's Twenty-fifth year of service to labor and the community on Friday, September 26, 1986;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby commend the Officers and members of the Allegheny County Labor Council for their outstanding leadership and concern for their members and all others in elevating human dignitv in the

workplace.

Mrs. Masloff moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Glavin:

Thank you very much, Chairman Woods and City Council, for passing this resolution, and I thank Mayor Caliguiri also on behalf of the Allegheny County Labor Council.

We are proud of course to represent this great City of Pittsburgh in the labor movement and we will strive as in the past to do the best we can for all the working people in the City of Pittsburgh. Thank you.

The Chair:

Thank you, Dave.

Mr. DePasquale presented

No. 1460 Resolution providing for the issuance of a warrant in favor of Thomas A. Mekis and Sons, Inc. (Kenneth L. Wolf, Vice President) in the amount of \$995.09 in payment of Extra Work, being in addition to the original contract price of \$3,414,646.20 on Controller's Contract No. 27595, furnished for the benefit of the City in connection with the the Reconstruction of the Baum Boulevard Bridge, payable from the Baum Boulevard Bridge Trust Fund. (PRIOR APPROVAL GRANTED)

Also,

No. 1461 Resolution providing for the issuance of a warrant in favor of NICET in the amount of \$1,500.00 covering examination fees for 25

applicants taking the second exam for Level II certification in the National Institute for Certification in Engineering Technologies, payable from Code Account 1482.

Also,

No. 1462 Resolution transferring the amount of \$5,000.00 from Code Account 1484, Supplies, to Code Account 1482, Miscellaneous Services, both accounts within the Department of Engineering and Construction. This transfer will provide sufficient funds in the 1482 Miscellaneous Services Account to cover various expenditures such as Rental of Equipment, Membership Dues, and the purchase of supplies not on Contract, for the remainder of 1986.

Which were severally read and referred to the Committee on Finance.

Mr. Givens presented

No. 1463 Resolution providing for the issuance of a warrant in favor of Sanitary Systems Service, Inc. in the amount of \$1,600.00 for emergency repairs to the Brownhill Road Pump Station, chargeable to and payable from Code Account 1612-1, Repairs. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 1464 Resolution accepting the dedication of four (4) parcels of property from Allegheny General Hospital for public use, street improvements and other public purposes, certain property along Sandusky Street, Porterfield Street and James Street in the 22nd Ward, City of Pittsburgh.

Also,

No. 1465 Resolution granting unto Terra Enterprises, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a one story building over the 20' easement for a 48" sewer near the intersection of Penn Avenue and Dahlem Street in the 11th and 12th Wards of the City of Pittsburgh.

Also,

No. 1466 Communication from James Walker, Director, Department of Environmental Services, requesting authorization for Fred Morgan, Leo Mincin and Charles Grinage to attend the Animal Control Academy in Chesapeake, Virginia from November 10-12, 1986, at a cost not to exceed \$4,400.00, payable from Animal Control and Welfare Account.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1467 Resolution amending Resolution No. 736, effective August 19, 1986, entitled: "Providing for an Agreement or Agreements with the South Side Community Council, for professional services relative to the South Side Merchants Baseball Team, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account No. 1838, Miscellaneous Services, Department of Parks and Recreation; and transferring \$1,500.00 from Code Account No. 10, Accounts Payable Prior Years, to Code Account No. 1838, Miscellaneous Services, Department of Parks and Recreation," by changing the service provider from South Side Community Council to the Arlington Civic Council.

—(SPONSORED BY MR. GRABOWSKI)

Which was read and referred to the Committee on Parks and Recreation.

Mr. Grabowski moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 1468 Resolution amending Resolution No. 1283 of 1985, entitled: "Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program," increasing a line item and adjusting the Summary Totals as per Attachment 2, Department of General Services.

Also,

No. 1469 Resolution providing for the furnishing and delivery of Motorized Fire Equipment for the Department of General Services at a cost not to exceed \$3,500.00, payable from Capital Project Fund GS86-02, Fire Department Pump and Ladder Trucks, Code Account #4-30-01-0002-86, Department of General Services.

Which were read and referred to the Committee on General Services.

Mr. O'Malley presented

No. 1470 Resolution providing for the issuance of a warrant in favor of Volpe-Rogal, Inc. for payment of legal fees arising from a lawsuit filed while performing under its contract with the City to administer the Worker's

Compensation Program, chargeable to and from payable from Code Account No. 44, Workers' Compensation, Department of Finance.

Also,

No. 1471 Resolution transferring \$35,000.00 from Code Account No. 1063, Miscellaneous Services, Department of Finance, to Code Account No. 1066, Equipment, Department of Finance. This request is to provide funds for the furnishing, delivery, and installation of new microfiche readers, a safe for the Payroll Office, and various office equipment and furniture needed through the remainder of 1986.

Also,

No. 1472 Resolution authorizing the Mayor and the Director of the Department of Finance to transfer the City's rights, title and interest, if any, for a parcel of property (The Black Channel), 6th Ward, Block and Lot 48-D-400 to the Urban Redevelopment Authority of the City of Pittsburgh. Deed to be in Quit Claim form for a total consideration of \$1.00.

Also,

No. 1473 Resolution authorizing the Director of Finance and the City Controller to establish the State Income Tax Withholding Trust Fund (SITWTF) to meet the requirements of forwarding to the Commonwealth of Pennsylvania, in a timely manner, those monies that the City of Pittsburgh withholds from its employees for the state tax and authorizing the transfer of \$300,000.00, payable from Code Account No. 41, Real Estate Tax Refunds, to establish this trust fund.

Also,

No. 1474 Resolution amending and supplementing Resolution No. 829 of 1984 by expanding the scope of previously authorized professional services contract with Mellon Bank, N.A. to act as paying agent and registrar for certain outstanding City of Pittsburgh General Obligation Bonds at an annual cost not to exceed \$115,000.00 subject to annual appropriations and making such agreement chargeable to and payable from the Sinking Fund.

Also,

No. 1475 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 1476 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 1477 Communication from Edward Walkowski, Manager, City Information Systems, requesting authorization for himself, Rhett McPeake and Paul Krall to attend the Honeywell Large Systems Users Association Conference in Phoenix, Arizona from October 5-8, 1986, at a cost not to exceed \$3,500.00, payable from Code Account No. 1043, Miscellaneous Services, City Information Systems, Office of the Mayor.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 1478 Resolution amending

Resolution No. 1057, effective November 25, 1985, which provides "authorizing the Mayor, the Director of the Department of City Planning, the Director of the Department of Public Works, the Director of the Department of Water, the Director of the Department of Finance, for and on behalf of the City of Pittsburgh, to enter into a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the Redevelopment of the Pennsylvania/Brighton portion of the Pennsylvania/Kirkbride Redevelopment Area Project, being Redevelopment Area No. 49 located in portions of the 22nd and 25th Wards of the City of Pittsburgh, providing for the conveyance to the Authority of certain property, the vacation of certain rights of way and the conveyance to the Authority of vacated rights of way, the acceptance of dedication of new street, sewers and waterline, changes in zoning, non-discrimination in the use of public facilities and the transfer of funds to undertake redevelopment activities" to provide for the acquisition of additional public owned property.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 1479 Resolution approving execution of Contracts for Disposition of Land by and between the Urban

Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of various properties in the City of Pittsburgh (URBAN HOMESTEADING REHABS).

Also,

No. 1480 Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of various properties in the City of Pittsburgh (SIDEYARD & PARKING).

Also,

No. 1481 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Mary Alice Humphries for the sale of Block 23-F Lot 135 in the 25th Ward of the City of Pittsburgh for the sum of \$1,000.00. The redeveloper owns the adjacent vacant land and will combine it with this lot for the construction of a single-family house. The property is being acquired following certification as blighted property by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 1482 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Penallen Corporation for the sale of Disposition Parcel 6A-1 in the 28th Ward of the City of Pittsburgh for the sum of \$.55 per sq. ft. The redeveloper plans to construct a parcel distribution center for United Parcel Service on this site. The redeveloper is a Pennsylvania Corporation whose parent company is United Parcel Service of America, Inc. The Officers are: John W. Rogers,

Director & Chairman; Kent C. Nelson, Director & Vice President; Joseph R. Moderow, Director & Vice President; Bruce M. Barone, Treasurer; Thomas E. Butt and John J. McGuinness, Assistant Secretaries.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 1483 Resolution further amending Resolution No. 488, effective June 10, 1986 as amended by Resolution No. 738 of 1986, entitled: "Providing for an Agreement or Agreements with the South Side Sooners Youth Football Program for professional services for 1986 at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account No. 1838, Miscellaneous Services, Department of Parks and Recreation; and transferring \$2,000.00 from Code Account No. 10, Accounts Payable Prior Years, to Code Account No. 1838, Miscellaneous Services," by changing the service provider from South Side Community Council to the Arlington Civic Council.
(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Parks and Recreation.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Also,

No. 1484 Resolution transferring

the sum of \$220,000.00 from Code Account 41, Refunds - Real Estate Tax, Department of Finance, to Code Account 1443-7, Police Longevity, Bureau of Police, Department of Public Safety. This transfer is necessary to cover Longevity Benefits due Police Officers for the remainder of 1986.

Which was read and referred to the Committee on Finance.

Also,

No. 1485 Communication from John Norton, Director, Department of Public Safety, requesting permission for Assistant Chief Kevin D. Mellott, Bureau of Fire, Department of Public Safety and Sergeant James Hayes, Bureau of Police, Department of Public Safety to attend the National Association of Fire Investigators Training Seminar held in Chicago, Illinois, September 17-19, 1986, at a cost not to exceed \$1,650.00, payable from the Department of Public Safety, Code Account (PRIST). (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Public Safety.

The Chair presented

No. 1486 Petition from the residents of the City of Pittsburgh, requesting a public hearing concerning the sandblasting of the Mission Street Bridge, and also request a representative from the Mayor's Office and a Department Head be present at this hearing. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1450

Report of the Committee on Finance for September 17, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1370

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Conn Construction Company (Converse Branscome, Jr., President) in the amount of \$2,460.00 in payment of Extra Work, being in addition to the original contract price of \$2,536,174.03 on Controller's Contract No. 27563, furnished for the benefit of the City in connection with the Reconstruction of the Pennsylvania Avenue Bridge; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1379

A Resolution entitled, "Resolution providing for the transfer of funds in the amount of One Hundred Thousand (\$100,000.00) Dollars from Code Account 1133, Index Code 113308, Salaries & Wages, to Code Account 1126-1, Index Code 112615, Premium Pay, Department of General Services, and for the transfer of One Hundred Thousand (\$100,000.00) Dollars from Code Account 1144, Index Code 114405, Gasoline & Diesel Oil, to Code Account 1150, Index Code 115006, Outside Repairs, Department of General Services."

Which was read.

Also,

Bill No. 1381

A Resolution entitled, "Resolution transferring the sum of Twenty Five Thousand Dollars (\$25,000.00) to Code Account 1044, Index Code 104406, Supplies, Department of the Mayor, City Information Systems, from Code Account 1043, Index Code 104307, Miscellaneous Services, Department of the Mayor, City Information Systems."

Which was read.

Also,

Bill No. 1382

A Resolution entitled, "Resolution Repealing Resolution No. 650, Item L, approved July 17, 1985, which authorized

the sale of property in the 13th Ward, being a 2-1/2 Story, Frame house and a row of 4 - 2 Story houses (frame) located at 7123 Bennett Street, designated as Block 174-J, Lot 325, to Danny Starr for the sum of \$2,500.00."

Which was read.

Also,

Bill No. 1383

A Resolution entitled, "Resolution Repealing Resolution No. 334, Item D, approved April 10, 1985, which authorized the sale of property in the 19th Ward, being a vacant lot located at 1606 Dagmar Avenue, designated as Block 35-G, Lot 121, to Daniel O'Leary and Anna Mae O'Leary, his wife, for the sum of \$450.00."

Which was read.

Also,

Bill No. 1384

A Resolution entitled, "Resolution Repealing Resolution No. 580, Item D, approved June 21, 1982, which authorized the sale of property in the 13th Ward, being a vacant lot, located at 612-14 N. Homewood Avenue, designated as Block 174-N, Lot 82 to William C. Green, Jr., for the sum of \$5,000.00."

Which was read.

Also,

Bill No. 1385

A Resolution entitled, "Resolution amending Resolution No. 36-Items A and H, approved February 4, 1986, which authorized the sale of property in the City of Pittsburgh."

Which was read.

Also,

Bill No. 1386

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 1387

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh acquired in accordance with Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the

bills passed finally.

Also,

Bill No. 1389

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Upper St. Clair Volunteer Fire Department, P.O. Box 12583, Upper St. Clair, PA 15241, in the amount of \$4,900.00, in payment for conducting a hazardous materials training program for the benefit of the City; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1409

A Resolution entitled, "Resolution transferring the amount of Two Thousand Five Hundred (\$2,500.00) Dollars from Code Account 1633, Materials, Index

Code 163303, to Code Account 1631, Miscellaneous Services, Index Code 163105, and the amount of Three Thousand Five Hundred (\$3,500.00) Dollars from Code Account 1632, Supplies, Index Code 163204, to Code Account 1635, Equipment, Index Code 163501, all accounts within the Bureau of Operations - Painting Division, Department of Public Works."

Which was read.

Also,

Bill No. 1410

A Resolution entitled, "Resolution transferring the amount of One Hundred Twenty Thousand (\$120,000.00) Dollars from Code Account 1608, Salaries and Wages, Regular Employees, Index Code 160804, to Code Account 1501, Premium Pay, Index Code 150102, both accounts within the Department of Public Works."

Which was read.

Also,

Bill No. 1423

A Resolution entitled, "Resolution transferring \$6,000.00 from Code Account No. 1022 (102202), Salaries, Regular Employees to Code Account No. 1022-1 (102210), Premium Pay."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 1488

Report of the Committee on Public Works for September 17, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1373

A Resolution entitled, "Resolution amending the Title and Section No. of Resolution No. 517 approved June 12, 1986 effective date June 18, 1986, entitled 'Vacating a portion of the northerly side of Henderson Street in the 25th Ward, City of Pittsburgh.'"

Which was read.

Also,

Bill No. 1374

A Resolution entitled, "Resolution granting unto James B. Smith, 570 Richland Street, his successors and assigns, the privilege and license to construct, maintain and use at his own

cost and expense, an off-street parking area and fence on a portion of the right-of-way of Unnamed Way in the 13th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1375

A Resolution entitled, "Resolution granting unto David M. O'Brien, 6450 Jackson Street, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a driveway and fence on a portion of the right-of-way of Wellesley Avenue in the 11th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1376

A Resolution entitled, "Resolution granting unto Jessie DeCarlo, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a handicapped ramp over a portion of the sidewalk of Williams Street in the 19th Ward of the City of Pittsburgh."

Which was read.

Mr. Wagner:

Mr. President, on Bill No. 1376, I have attempted, I have had a complaint about that right of way and I am in the process of investigating it through my office and I'd like to move to hold the bill for one more week or put it back into Committee.

Mr. Givens seconded the motion.

Michelle Madoff:

Is there any discussion allowed on it?

The Chair:

On the recommittal, yes.

Michelle Madoff:

What could the problem possibly be with having a handicap ramp? Could you give us any idea what it's about?

Mr. Wagner:

Well, the complaint is that it obstructs the sidewalk in the area and we simply want to investigate it and determine whether it does or doesn't.

Michelle Madoff:

I can't imagine that we would not

want to do that.

Mr. Givens:

Jack, I don't know if you can remember on that bill, that was my concern also that we ought to have a cut in the sidewalk in such a way that a person that has blindness or a handicap in that particular area have seen that we don't obstruct another construction for people in that particular category.

The people from Public Works Wednesday so indicated that they knew the exact design of the new handicap ramp and they didn't feel that that was any problem. I don't know if that helps out to hold it one week. I asked that same question last Wednesday.

WHICH MOTION PREVAILED.

Also,

Bill No. 1377

A Resolution entitled, "Resolution granting unto Nancy Klim, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a sidewalk cafe on a portion of the sidewalk of Federal Street in the 22nd Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1378

A Resolution entitled, "Resolution granting unto Robert J. Berberich, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a driveway for off-street parking on a portion of the right-of-way of Ray Avenue in the 19th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 1489

Report of the Committee on Planning, Housing and Development for September 17, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 734

A Resolution entitled, "Resolution providing for a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the Administration of the Brighton on the Park Housing Development Grant Project and further

providing for the execution of an Owner-Grantee Agreement for the Project."

Which was read.

Mr. DePasquale:

Mr. President --

Michelle Madoff:

I'd like to be the last person to comment. Whoever wants to go first, feel free.

The Chair:

That will be very difficult. Mr. DePasquale?

Mr. DePasquale:

She can go first.

Michelle Madoff:

No, I yield.

Mr. DePasquale:

You go first; I'm yielding to you.

Michelle Madoff:

I yield.

The Chair:

Wait a minute; let me handle this.

Michelle Madoff:

Mr. President, point of order. I think it would be interesting to find out what the latest recommendation is. There was supposed to be some kind of compromise and it would be interesting for those of us who might want to hear what it is.

The Chair:

Mr. Pollock, it's your committee. Do you have any compromise? I know we all received a letter but would you like to —

Mr. Pollock:

That's the only thing I'm aware of. I think a compromise infers that both sides came to that agreement. I don't know if there's been a response to the proposal.

Michelle Madoff:

Excuse me, Mr. President, would you translate that? There's no compromise?

The Chair:

No, as long as both sides are concerned. That's what Mr. Pollock says.

Mr. DePasquale:

Well, we're beyond compromise. I believe at the meeting the other day the residents of the neighborhood made it rather clear they wouldn't be in favor of a one-story apartment. They definitely don't want an apartment up there. They don't seem to realize they're blocking a federal grant and blocking abutments for the handicapped and they don't seem to care. I seem to care. I say it's a way a selling the handicapped down the river if we refuse this grant to put those apartments in. So there's no further dillydallying; let's bite the bullet and vote this up or down.

Michelle Madoff:

Mr. President, I am going to follow the rule of this Council and not personalize but say that a member of this Council, as reported to me by the

Misticks, said to a media person, and that person knows who they are and if they wish to step forward they may do so because I will pursue it in my own way as I have previously, said to the Misticks that the reason I did not wish to vote on this issue, I was going to vote against the issue, was that I had work done in my home by the Misticks and I held up payment to punish them and I will provide this Council with my receipts and my checks, which are filed away, incidentally, because it was three years ago. The Mistick brothers both are here and they have just stated with Mr. Brophy present that indeed I made the payment. I converted my condo; I had a rehab job done. It was not a happy experience but I paid the required dollars including the kitchen people who provided the kitchen and the bathroom people who I paid money out of my own pocket. It came to something like \$60,000.

So, I resent a member of this Council impugning my integrity by implying that I would vote one way or another against Misticks or for Misticks because of work done in my condominium, which was indeed unhappy. However, I do want to point out that since the time of the work that was done at my condo, I have commended one of the Misticks that was appointed to the BOCA Code of Review. I said he would be an asset and it was done here publicly. I have voted for other Mistick projects. But when I am questioned as to whether I would vote one way or another because of work that was done in my building, then it becomes a matter of impugning my integrity and I am not going to vote for anything, for or against, and I don't believe in abstaining but I will abstain and I realize full well that that's a no vote. I am quite aware that that means I am voting no; I take that responsibility. But from here on in, I will abstain voting on anything that

relates to Mistick based on the fact that my unhappiness with them, even though before my integrity was impuned I voted in support of other projects that they had done. I am very distressed about this. The person who made the statement is a member of this Council and I will pursue it perhaps in a legal form.

Mr. DePasquale:

What was the statement that was supposed to have been made?

The Chair:

Jeep, you're out of order.

Mr. Pollock:

Mr. President, I'd like to take a few moments because I did put a lot of time into this and I'd like to share my thoughts with those who took the time and effort and expense to come down here today.

I'd like to begin by saying that my decision on this legislation has been my most difficult one since I took office in January. There are two very worthy, deserving communities involved here; Allegheny West and Pittsburgh's handicapped. That is why I did invest so much time and energy in the three months or more of negotiations between the neighborhood and the handicapped members of the community and the developer, and also the URA and City Planning.

It should also be noted at this time that Paul Farmer, Deputy Director of City Planning, and Mike Eversmyer from City Planning, as well as many other people down at City Planning, spent uncommon time and dedication and talent to the negotiations to try and come up with a solution to this problem, and, in fact, a compromise was found. There was a building that was agreed

upon or would have been agreed upon by members of the neighborhood and members of the handicapped community and the developer. Unfortunately, this structure could not be built without the input of more than half a million dollars, and the City powers that be, probably wisely, deemed it inappropriate to add any more public dollars to this project. So that put it back into City Council's lap and it must vote the grant up or down.

There are several points I would like to make before explaining my vote. I have pointed out all along that the Zoning Code permits the structure as proposed. I have tried to explain this to the neighborhood that there is no zoning issue here. The developer, I believe, as sure as I am sitting here, will build on this site whether or not it gets this grant. Indeed, if the grant does not go through and the developer builds the building, he can build it just as high and it will not have two and a half million dollars of federal grant to go into the building for improvements, aesthetic appearance and the handicapped units.

I am currently attempting to sensitize the City Housing Authority to the critical need for handicapped housing. It certainly would be hypocritical of me to now turn my back on 27 units, especially 27 two-bedroom units, when there are currently no two-bedroom units in the City for the handicapped.

Two different structures have been approved throughout the negotiations before this issue came to Council. Two different ones have been approved by historic preservation bodies, the State or the Federal. Both of these structures were nine-story structures. This has to be pointed out. If it is alright for those historic review bodies to pass on two different nine-story structures, then they

clearly cannot be too great of a burden or a blight on the neighborhood. In addition, the developer has committed to limiting the height of the proposed building to only eight stories with the same number of handicapped units.

Maybe I'm too lenient or accepting, but I feel that that urban dweller must realize that he or she does not have the luxury that his or her suburban neighbor does. There are, unfortunately, attendant burdens and costs that go with living in the City and to expect otherwise is unrealistic. Yes, this goes for me too and if this building were proposed in my neighborhood with the same set of parameters, I would support it.

As I said, there are two worthy communities that unfortunately have been placed in adversarial positions, and that's the real tragedy of this whole process because neither group really opposes the other. Cruel circumstances have caused this.

Permit me one minute to quote John F. Kennedy who wrote in his Profiles In Courage of the dilemma facing elected officials. I do not mean for one moment to imply that anything that any one of us does here today can match the acts of courage that those archangels of morality and courage and honor and strength blessed our nation with. But the words of John F. Kennedy lend me, personally, a great deal of succor.

"The elected official must on occasion lead, inform, correct, and sometimes even ignore constituent opinion if we are to exercise fully that judgment for which we were elected. But acting without selfish motive or private bias, those who follow the dictates of an intelligent conscience are not aristocrats, demagogues, eccentrics,

or callous politicians insensitive to the feelings of the public. The expect, and not without considerable trepidation, their constituents to be the final judges of the wisdom of their course, but they have faith that those constituents, today, tomorrow, or even in another generation will at least respect the principles that motivated their stand."

Thank you very much.

Michelle Madoff:

Mr. President, I beg the indulgence of this group. I was very distressed to come into Council today and find out that indeed my integrity had been impuned and I was a little emotional and I didn't finish saying some of the things I wanted to say.

I have a great deal of empathy, I think my vote has consistently been very supportive of the handicapped community. And in a way this may be a blessing in disguise because it is true that for four years, there are people sitting here who are practically crying, and they're feeling terrible in case this vote, because I am going to abstain, doesn't pass and they don't get their property. But this should not be a handicapped versus a zoning issue. We have a responsibility, and I think Mark touched on it, as a body to look after our neighbors. The handicapped of this community pay taxes, they have enough problems without our adding additional burdens, and yet here we have the handicapped being used sort of as buffers put up front as the issue as opposed to the issue which is a zoning issue. But this Council must convene a meeting and I've already told, not today, not last week, not two weeks ago, but months ago, that I wanted to meet, and I talked to one of the ladies that is here today, that I would like to convene a meeting of all the handicapped communities, and I

just asked today what the Umbrella Group was and I believe we don't have enough funding for the Umbrella Group to sit down with this Council as a body and say, what are the problems. Are they housing? There's got to be mechanism where they don't fight for four years and end up with a few maybe promises because there's nothing in the law that makes it mandatory that the handicapped will get the property. It is likely that they might on this issue. But just servicing a few people is not the answer. We need to make housing available not only for the handicapped community but all disenfranchised people.

Council may not remember, and I will be doing myself in to remind the public, that the vote to put group homes into "R1" and "R2" was my bill because I feel, as Mark does, that you don't say put it somewhere else, not in my district.

What we need to do now is to bring the entire representatives of the handicapped community and say what is it that you need, what is it that you don't have. And this Council should take the leadership in providing not just a few two-bedroom housing apartments, and not just relying on somebody who is going to build because there's money going to be made available from a grant to put handicapped facilities in an area where the neighbors are up in arms because my understanding is that it becomes a block between parts of the community, divides the community. And when we say that we wouldn't want it in our own neighborhood, I remember very vividly where I lived long before I came to Council, being in this room for the first time, very nervous when Pete Flaherty was President of Council and testifying against a building going up in my own area —

Mrs. Masloff:

He was never President of Council.

Michelle Madoff:

He was head of a hearing. I came here and I testified when Pete was presiding over a hearing on a zoning issue in my community on Mount Royal Road which was going to obstruct the view of people on a neighboring street.

The issue is a zoning issue; the issue is not a handicap issue. I think it's terrible to mix the two. And that does not mean that our responsibility to the handicapped is lessened and I feel that people are going to point their finger, perhaps the media, and say well, if you really cared you would have voted to put these people in because that's an opportunity. The real opportunity is for this Council to recognize that there is a problem, a very serious problem with housing for handicapped and to address that in a very professional, on-going and productive way. And I would ask, no matter how this vote goes today, Mr. President, that either you convene the meeting and if not I will see to it that my office continues to meet with the people and sets up the meeting which has already been discussed with members of the handicapped community.

I am not abdicating my responsibility by abstaining on this vote. I will follow through and do whatever I can to make life more bearable for the handicapped people of this community, as I have always done.

The Chair:

Mr. Pollock, perhaps you can help me. This letter from Tom Mistick and Sons about the redesign that they're going to —

Mr. Pollock:

What's the date on it?

The Chair:

Today; September 22nd. I think we all got it. But they're going to try to redo the plans and send it back to the Bureau of Historical Preservation Committee for eight stories and if there's any additional cost, which they suspect there probably will be some, it will be absorbed by the URA. Would the URA have to come back to us for that cost or is this just an out and out grant?

Mr. Pollock:

We're just voting up or down --

The Chair:

But if this does pass, according to this letter, that they would go back and try to get this eight stories, this building to be eight stories. Correct? So if the Bureau of Historical Preservation agree and say, okay, you can build this eight story building, and it costs additional money, it states that the URA will give them the additional money. Would they have to come back to Council or would that be an out and out grant?

Mr. Pollock:

No, they have a line item in the budget.

The Chair:

So it would be an out and out grant for construction? And that's what I'd like to have everyone understand, that this \$2.4 million is not an out and out grant, is not used for construction. This money is subsidized to housing and if we go along with this or if this goes, that means the City or the URA is giving the

developer an out and out grant to build a project or to help build a project. Correct me if I'm wrong.

Mr. Pollock:

It should be pointed out that there have been seven of these HODAG grants in the City and all six of the other ones received out and out URA grants. This is the only one so far that has not received one.

The Chair:

Thank you, Mr. Pollock.

Mr. Wagner:

Mr. President and members of Council, in regard to Bill No. 734, as you know, I voted no on this issue last Wednesday and stated publicly during my vote, after my vote, and at a follow up meeting on Friday that we had with the proposed developer in the neighborhood, that I could not vote for a nine-story monolithic building that appeared to be a dominant factor in the neighborhood, that I wanted to see some compromise between the developer and the neighborhood even though meetings have taken place for I guess about two and a half, three months, and a lot of hours put in by a lot of people to try and reach a compromise.

After the vote on Wednesday we had a meeting on Friday, many of you were in attendance along with the neighborhood, the URA, City Administration, and we talked about the various potential compromises that have been discussed over the last few months. The first and let me refer to it as the number one or first item or first design that they showed on Friday was the nine-story structure that all of us are familiar with. I should state, though, that was after there was a compromise

between them and the neighborhood going back a couple years ago of a four-story design. Well that was the second building which was a nine-story compromise. The second design that they showed us on Friday was a step-down building of nine, eight, seven, six, five stories. The third was a seven-story L-shaped structure. There were basically three shown to us on Friday. The neighborhood obviously was not in agreement with the nine-story structure. They stated Friday that they were not in agreement with the nine-eight-seven-six-five step down structure. And the L-shaped structure, it appeared as if there wasn't any great discussion about it so they were somewhat in agreement if -- the could have been in agreement if the funds could have been obtained from whatever source to build it if the design fit in with what they wanted.

As you know, we received a letter today and in that letter it is indicated that the developer will agree on an eight-story structure, not the nine-story, not the step-down of nine, eight, seven, not the seven, but an eight-story structure. And, as part of that letter, they indicated that they will commit to occupancy of the 27-units by the disabled.

In addition to that, and I'm just trying to throw out all the information that I have obtained in a consolidated fashion, I requested from our Solicitor a legal opinion on some questions that I raised Friday and he replied to this morning of which I'm passing out a copy, and I'd like to read the letter into the Record in reference to Bill No. 734.

"You have made certain inquiries concerning Brighton on the Park legislation presently pending before Council. Specifically, you asked three questions. Prior to answering those

questions it should be pointed out to give a full review of your concerns would take ten days to two weeks to examine HUD and HODAG regulations, to confer with HUD and URA and to research the applicable law in full. However, my initial impressions to those questions are as follows:

1) Can Council have input for the height and design of this structure by passing this legislation? When Council initially approved this project and initial neighborhood approval was obtained, the building in question was four stories in height. Council at this time was approving a project for certain height and dimensions and it was within its discretion to allow HODAG to proceed if it believed that the design was amicable or detrimental to the City. The only question in this regulation is whether that concern can be raised because Zoning allows a nine-story building. The matter under consideration is whether the City wants to give a grant for this project."

In other words, our Solicitor has said, he hasn't really answered the question but has said that the matter in front of us is a grant for this project and it would take him additional time to research whether or not we can have input into design and to height of the building which is a concern of the neighborhood.

"2) If the legislation and the grant are denied, could the City be held liable financially for the \$2.4 million subsidy? Without a full review of the regulations, it is impossible to give a full and comprehensive answer. For your information, I have been contacted by an attorney in touch with the handicapped group stating that there may be cause of action under the Rehabilitation Act of 1973. Other causes of action may also exist."

In other words, we still don't have an absolute answer for that question.

"3) Must the developer give the handicapped all subsidized units if sufficient handicap have applied and qualified? My understanding of the HODAG regulation is that the only requirement for rent subsidy is that it be given to low and moderate income persons. There is no condition in the regulation that these apartments only be rented to handicapped persons.

For a full and complete review of this matter to take place, I request Council delay action on this bill."

That's the end of the letter. So, in essence, all three questions are still somewhat outstanding.

I'm not going to make a motion to delay action because I know that there are limitations and I don't think there are the votes on this Council to delay action anyway. Every Councilmember wants to either vote it up or vote it down.

What decision have I reached and where am I going to vote based on all that information? As several of my colleagues have indicated, it's a very difficult decision. What I have tried to get both sides to reach here was some degree of compromise. There has been movement towards compromise with an eight-story structure but it's not what the neighborhood wants. The neighborhood, I think, wants seven stories and they want input into the design. The developer won't go for seven stories for financial reasons; the City won't come up with the dollars to help the developer.

So, is eight stories better than nine? Well, it's probably about 10 percent less in height and it certainly is moving in that direction. It's an

important point because really in making my decision, is one story the difference between voting yes or voting no. That is a difficult decision.

Based on all the other information that surrounds the issue, information relating to the need for housing, information relating to the need for the handicapped, and the fact that there has been some degree of movement by the developer in the height of the building, leads me to making a decision as to how I'm voting on the issue. The people that are still opposed to this will not like my decision, the neighborhood, and I have to accept that. And I respect them a lot because I think they are very knowledgeable people. I think they present a good issue. They won't like my decision but I feel because there has been compromise, because we don't live in an ideal world, and I don't think there can ever be an absolute total agreement on this issue, this Council has to take a position. For that reason, I am taking the position of voting for it, voting in the affirmative, and obviously I think if I'm voting that way I would like all of Council to consider voting that way.

I believe that there will be some input into the design of the structure. It's smaller and if there can be input by the neighborhood into the eight-story design, we can meet almost all of the concerns that are on the table. The one that we won't meet is another story, in the height, and I believe we can work around that, I believe it can incorporate the concerns of the neighborhood, it can enhance the neighborhood, it can provide some jobs in the construction of the building, it can provide some taxes for the people that live there and rent there, it can provide some housing for the handicapped. For that reason, I support Bill No. 734 with the commitment that it is an eight-story structure and that it houses the handicapped.

Mr. Grabowski:

Mr. President, I think the only reason this bill is before us today is because last Wednesday at the Committee Session I made a point of indicating a compromise possibly could be reached if Council was forced to vote and took a position.

Well, I think as of this point that compromise has not yet been reached and I think though the parties are getting closer, as Councilman Wagner and Councilman Pollock have indicated, and I know if I can read this Council correctly, this bill is going to die today and I'll be voting against it also if we must vote on it today.

But I think perhaps we owe it one more chance for that compromise to be reached where the neighborhood can say yes, this is a desirable project and we'd like to have it where the developers can meet the needs of the neighborhood.

So, I would move that we recommit this bill.

Mr. O'Malley seconded the motion.

The Chair:

Discussion on the motion.

Michelle Madoff:

I believe I'm in order and correct me if I'm not, Mr. President, on the motion. I believe that Robert's Rules and Rules of Ethics in Council is that if you have a conflict and you abstain, you're not even allowed to discuss it. You can only abstain. There was no conflict until my integrity was impuned; therefore, I am abstaining.

The Chair:

In my opinion, you have no conflict.

Mr. DePasquale:

Mr. Chairman, in regards to the recommittal, I believe there is a time element here and I'd like to be made aware of what it is and how long. How long are we going to hold this or how long are we going to recommit it? If we have a week or two like I was led to believe at the hearing the other day, then we can't very well recommit the bill.

The Chair:

I believe and I know no one in the audience is allowed to speak up but you can nod your head, Paul. I think we have a few more weeks before you have to be into Washington, right? It's close but we have a couple weeks, Jeep.

Mr. Wagner:

Mr. President and members of Council, I don't know if any further compromise can be obtained and I respect Councilman Grabowski's motion but what specifically can we do or what specifically can be done to reach a compromise and why should we vote to hold the bill if we can't reach further compromise?

To my understanding, we have come as far as we can go with the compromise unless further additional public dollars are injected into the project. I, for one, am not prepared to vote to put additional public dollars in the project.

The Chair:

I'd just like to add this. If they go with eight floors, according to this

letter, you're going to put additional public funds in the construction.

Secondly, what bothers me most of all is when they came in with this project with the community support, it was four stories and out of the blue it became nine. If they compromise down to eight, I think the neighborhood only wants seven. Why couldn't they go one more? They've already gone twice plus one above what they came into this Council with, what was approved by this Council. So now they're coming in with eight because you voted it down on Wednesday. The community would accept seven which is still three more, or 75 percent more, than the original proposal in height.

I believe that sensible people can get together and say, listen, we've already gone twice plus one, we're giving them one back. Maybe, like Mr. Grabowski said, we can negotiate again and get it down to seven and everybody will be happy for another week or two. I don't know. But remember, when they came to Council it was only four and then it went to nine and that's a hell of a mis-que if you're estimating or if you're doing the drawing.

Mr. O'Malley:

I agree with my colleague, Councilman Grabowski, that this issue deserves at least one more week. I know it's been hard on the community, it has torn apart the community because many of the people over there have always supported the handicapped, have always been in favor of the handicapped.

I think we will see some movement if given one more week. I don't think the proposal by the Misticks to come down to eight stories is going to be acceptable. I think they are going to have to come down to seven stories. But I was also

going to have to vote against the proposal for the simple reason that we encourage people to move into the community and we encourage people to have some control over the destiny and the course that that community takes and I think this should be especially true for the East Allegheny neighborhood where many of the people have bought and rehabilitated older structures. I think this Council has always had the policy of supporting community groups.

I will support Councilman Grabowski's motion to give them one more week and I think that the Misticks are realizing that they don't have the votes for the UDAG grant or the \$2.4 million and hopefully this will force a compromise between the two sides.

Mr. DePasquale:

Mr. President, as I said earlier, I believe its beyond compromise. And for the benefit of the Councilmembers who weren't at the meeting the other day there was some discussion that if the HODAG grant came through that the developer might renig and might not put up the apartments for the handicapped. I asked the question specifically of City officials, I believe URA officials, what would happen if that did happen and they said that obviously the money wouldn't be forthcoming. Therefore, the money no doubt doesn't come in until the project is completed. So, there's no way in the world that that apartment could be built without being handicapped apartments and Mr. Mistick still gets the money.

Mrs. Masloff:

Mr. President, I think we've agonized over this long enough. I don't think there will be any more compromise; I think we ought to vote on it today one way or the other.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski Mr. Pollock
Mr. O'Malley

AYES 3 NOES 4

VOTING NO:

Mr. DePasquale Mr. Wagner
Mrs. Masloff Mr. Woods
 (Pres't)

(MR. GIVENS AND MICHELLE MADOFF
ABSTAINING)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

On the bill itself.

Mr. Grabowski:

Mr. President and members of Council, as I indicated, if the recommittal motion failed, I'd be compelled to vote in the negative and I will be voting so on this bill. The reason is simply because this legislation would never have been before us in the first place if the neighborhood group did not agree to the original structure. And since it has changed and they have withdrawn their support, I don't feel that this deserves the City's support either.

Michelle Madoff:

As a point of information, we were asked to vote on declaring part of this area as a historic sight and I believe, if memory serves me well, I was the only one that voted. I have not seen anything in writing. I've been told that this historic society has approved of the plans but I have not seen any and I can't imagine why, when they wanted this area designated historic area and historic sight, they would want to disturb the nature of the low-rise, the single-story, the Georgetown, the old town flavor. And I would remind my colleagues that when we vote sometimes two years in advance it affects things that happen two years later.

Mr. Wagner:

Just one final comment, Mr. President, and that is that we don't live in a perfect world and life is compromise and probably no one knows that better than the handicapped. I believe that there has been some movement towards compromise, not enough to satisfy everyone, but I don't believe that there can be much more. For that reason, the issue demands that all of us make a tough decision and the tough decision may not be a popular decision but I think it's the right decision and that's the reason I'm voting no.

Michelle Madoff:

I'm sitting here agonizing because I stated clearly that I walked into Council and found out that my integrity had been impuned. I would like to have a ruling, if it is possible, from the Parliamentarian whether my having indulged in hiring the contractor is indeed a conflict of interest. I've already stated that the bills were paid; I can prove that by getting my accountant or the checks to be proved, but a colleague said that I

didn't pay my bills and I'm very upset about that as would any other member of this Council or any reporter. They would be upset at being singled out. Could I get a very quick ruling on that whether that becomes a conflict?

Parliamentarian:

It would have to go to the City Solicitor. It is not for the Parliamentarian.

The Chair:

I see no conflict of interest. They're not employed by you at this moment. Are you going to go on abstaining is you're on Council for another 20 years if they do work for the City?

Michelle Madoff:

You recall I praised them when they were appointed to the BOCA Code of Review; I voted for other things for them. I share very much the feeling that Mr. Wagner and Mr. Pollock have stated and I don't want to punish the people because I'm hurt and because my integrity has been impuned. If it is the feeling of my colleagues that I am not in violation of the Ethics Code because we can't get a quick ruling right now, today, I will let my personal hurt and the issue of my integrity being impuned put aside and I will probably be the swing vote that will make this thing happen because I like not to think that I let personal things affect my vote. I have never done that.

The Chair:

Okay, I think enough has been said on this subject and I would like to call for a roll call vote. And even though this has a negative recommendation, if you are in favor of Bill 734, signify by saying aye; if you are opposed, no.

Michelle Madoff:

Yes if you want it; no if you don't.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	

AYES 5 NOES 4

VOTING NO:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Woods (Pres't)

And a majority of the votes of Council not being in the affirmative, the bill passed finally.

Mr. Givens:

Mr. President, point of order. I would like to recommit this vote and the fact that we have already voted on it requires at least five votes to recommit. The fact that Michelle has done what she has done and the fact that I have abstained in that recommitment, I'd like an opportunity now before this Council to bring that vote back up. In order to do so, I'd like the Parliamentarian to come up and describe how I can do that before that body.

Mr. DePasquale:

That is completely out of order,

Mr. President.

Mr. Givens:

No it's not.

Mr. DePasquale:

Oh yes it is.

The Chair:

Please, let me run this meeting. I believe it is out of order but, Mr. Parliamentarian, am I right or wrong?

Parliamentarian:

I think it's out of order because it is disposed of the motion for reconsideration. That motion should have been made after the vote on the recommittal. Since it was not, it would then be out of order.

The Chair:

What's the difference between reconsideration and recommittal?

Mr. Givens:

Recommittal, that's what I was asking for.

Parliamentarian:

I thought you were talking reconsideration. It's too late for recommittal; the recommittal has been voted on.

Mr. Givens:

I abstained on the recommittal and that was an amendment to it. Now on the bill itself, I'm asking if the bill itself be recommitted based on the vote that just happened.

Parliamentarian:

Are you talking about changing your vote?

Mr. Givens:

Yes.

Parliamentarian:

Changing your vote to what?

Mr. Givens:

If I can get a recommittal.

Parliamentarian:

If you voted aye on the recommittal, it would still be —

The Chair:

He abstained on the recommittal.

Parliamentarian:

If you changed your vote to aye it would still only be 4-4-1.

Mr. Givens:

Michelle abstained and she said she would be willing to vote and I'm just wondering if it can be put under that consideration.

Mr. President, if I might, I just went to the Parliamentarian and said once the vote was acted upon, and I read the thing that it could be — what is the word you used?

Parliamentarian:

He's referring to, a member has the right to change his vote up to the time the result is announced. After that he can make the change only by permission

by the assembly which can be given by general consent or by the adoption of a motion to grant the permission.

The Chair:

But the problem is, as I see it, we already voted on the bill. The bill has passed and a recommittal vote came up prior to that vote. So, the recommittal vote is history, it's done.

Mr. Givens:

Well, I was not understood by the Parliamentarian and the fact that an amendment is not the bill itself, number one. An amendment to recommit back into the Committee.

The Chair:

It wasn't amended, Mr. Givens.

Mr. Givens:

I know but that was a vote in itself. The bill itself was voted on and according to him, even though it has been voted on, that if any member of the body chooses to change his vote, he would have to ask the President to ask for reconsideration.

Parliamentarian:

Reconsideration has to be brought up right after the particular vote was taken.

The Chair:

You should have changed your vote immediately after, before the other vote was called. You could have changed at any time prior to that, Mr. Givens. But the other vote was taken and now you cannot change that vote.

Mr. DePasquale:

Mr. President, that's no different than me wanting to change a vote that happened a week ago.

Mr. Givens:

No, no.

Mr. DePasquale:

Oh yes it is. It's no different whatsoever.

Mr. Givens:

When the body is in session and during that particular Committee --

I'd like to say, Mr. President, when Jeep DePasquale was President, people, in fact, I had done so, during the deliberation of a particular meeting, not even in the Committee, this Committee is still up. This is not the last vote in this Committee and time after time after time all of us in this body have changed our vote when it was in that Committee. No one naturally can come back and do it after that but I think --

The Chair:

You're right, Mr. Givens, except for one thing. You're not changing your vote on the bill; you are changing your vote on a recommittal. Since that vote failed on the recommittal, then we voted on the bill. So the recommittal is dead. You can change your vote on the bill if you wish but not on the recommittal.

Mr. Givens:

Okay, can I change the -- I'll ask the Parliamentarian then. Could I ask that the bill be amended?

The Chair:

No. The bill has passed. You can't amend the bill.

Mr. Givens:

Well this is still the reconsideration of something that I think all of us have an opportunity to do, and that's what I'm asking, that the bill be reconsidered, and in that reconsideration, to bring it back up on the floor again, I will put an amendment before the bill..

The Chair:

Mr. Givens, even if you were permitted under the rules to change your vote on the recommittal, it would only come out 4-4-1. There still wouldn't be enough votes to recommit it.

Michelle Madoff:

Unless I changed my vote.

The Chair:

Unless you changed your vote. But we cannot honor that because we already voted on the bill.

I'm making the ruling, if you want to change your vote on the bill, fine. But on the recommittal, you cannot change your vote on the recommittal, nobody can, because we voted on the bill. That's the way I have to rule.

Also, with an affirmative recommendation,

Bill No. 1354

A Resolution entitled, "Resolution providing for the implementation of a Residential Permit Parking Program in the Bloomfield Community pursuant to

Pittsburgh Code, Chapter 549."

Which was read.

Mr. Givens:

On Bill 1354, a resolution providing for the implementation of residential permit parking in the Bloomfield community, I see many of the people, Mr. President, from the Bloomfield area and apparently there must have been a misunderstanding. I have to ask the Chief Clerk, when this bill was put back on for a vote Wednesday, was the neighborhood notified that there would be no public hearing on this particular bill? It was requested, if you can remember, two weeks ago that it be placed for a public hearing. That was a mistake. We corrected that mistake.

The bill then was put up again this Wednesday, we made a preliminary vote on it, but the people in the neighborhood apparently didn't get the word that there was no public hearing required. That's what they're here for today.

So, if I might speak to the people there, Mr. President --

Mr. DePasquale:

Was it passed Wednesday?

Mr. Givens:

Yes. It passed Wednesday, this is the final vote. Permit parking is going through in Bloomfield. Sorry that you had to come down here and go through all this but we appreciate it anyway.

Also,

Bill No. 1431

A Resolution entitled, "Resolution amending Resolution No. 476, effective

June 10, 1986, entitled: 'Providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1986 Community Development Block Grant Program; and providing for the payment of the costs thereof,' so as to increase the total allocation of funds by \$53,000.00 (from \$8,229,000.00 to \$8,282,000.00) and to make adjustments to line items and create new line items."

Which was read.

Also,

Bill No. 1432

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Generations Together for administrative assistance with their youth volunteer services for the elderly program in an amount not to exceed \$15,000.00."

Which was read.

Also,

Bill No. 1434

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the cumulative amount of \$3,598,400.00" to the Pennsylvania Department of Community Affairs for the Neighborhood Housing Program." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1435

A Resolution entitled, "Resolution providing for a Fourth Amendatory Neighborhood Housing Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$500,000.00 in Pittsburgh Home Ownership Program Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 1436

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$1,100,000.00 to the Pennsylvania Department of Community Affairs for the Pittsburgh Economic Development Fund Program."

Which was read.

Also,

Bill No. 1437

A Resolution entitled, "Resolution providing for the Pittsburgh Economic Development Fund Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$1,100,000.00 in Community Development Block Grant Business Investment Fund Program Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 1438

A Resolution entitled, "Resolution providing for a 1986-1987, H-93 Housing Project Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh to provide certain assurances required in connection with an application for grant funds from the Commonwealth of Pennsylvania's Department of Community Affairs."

Which was read.

Also,

Bill No. 1439

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the cumulative amount of \$3,815,986.00 to the Pennsylvania Department of Community Affairs for the H-93 Housing Project." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1440

A Resolution entitled, "Resolution authorizing a Sixth Amendatory Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the North Shore Redevelopment Program providing for certain changes in the financing of the Project, including the transfer of \$295,400.00 to the Authority; the conveyance of additional city-owned property to the Authority; waiver of permit and license fees and charges; clarification of provisions for

the construction and dedication of proposed public improvements; the abandonment of water and sewer lines; and the vacation of certain streets; and for the updating and clarification of certain technical provisions of the Cooperation Agreement."

Which was read.

Also,

Bill No. 1441

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the cumulative amount of \$400,000.00 to the Pennsylvania Department of Community Affairs for the Streetface Program."

Which was read.

Also,

Bill No. 1443

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the cumulative amount of \$11,405,317.00 to the Pennsylvania Department of Community Affairs for the North Shore Project." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1444

A Resolution entitled, "Resolution providing for a First Amendatory Streetface Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and

implementation of \$200,000.00 in Urban Development Action Grant Repayment Funds as the local matching share for a Grant Repayment Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 1490

Report of the Committee on Public Safety for September 17, 1986 transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1123

An Ordinance, "Ordinance amending the Pittsburgh Code, Title 10-Building, Chapter 1007, Section 513, et. seq - Special Historic Buildings and Districts, by providing for protection during the designation process, by providing for administrative approvals and by providing for the procedure to be followed when there is an exception to the effects of designation." —
(SPONSORED BY MR. POLLOCK)

Which was read.

The Chair:

Mr. Pollock, on Bill 1123, Section 513.3, changes to read as follows, on the first page, "If the nomination is submitted to Council, Council would transmit the nomination to the Historical Review Commission and the City Planning Commission with the request that they study the matter and make recommendations on the subject designation."

Is this saying, I don't think it is but I don't have the whole Code in front of me, does it say that we're giving up our right to designate a City area —

Mr. Pollock:

No, no. That's the same way the process has always worked. It always went to the Historic Review Commission and they make a recommendation to us. We have the final vote.

The Chair:

Okay, because it's underlined like it's a change.

Mr. Pollock:

The language is changed but it's the

same process.

The Chair:

Okay.

Also,

Bill No. 1391

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Computer Support Associates for professional services in connection with an automated time keeping payroll system for Bureaus within the Public Safety Department and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. DePasquale presented

Bill No. 1491

Report of the Committee on Engineering and Construction for September 17, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1371

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for architectural/engineering services in connection with the design of roof rehabilitation at various City facilities; and providing for the payment of the cost thereof."

Which was read.

Mr. Wagner:

Mr. President and members of Council, on Bill No. 1371, we continually use consultants to go out and tell us when we need a new roof on our buildings. We employ two full-time roofers in this City. However, we are allocating here with this legislation \$25,000 to go out and to look at these roofs and I personally feel it's an allocation of dollars that is not necessary. Our own engineers, our own roofers and roofing companies that bid on these projects can be properly advising us and therefore we can be saving those dollars.

I've complained about this since I've been on Council; I will continue to. All we really have to do is let our own people do the work and save some dollars and for that reason I'm voting against

Michelle Madoff:

The Chair:

Ayes:

Mr. DePasquale Mr. O'Malley
Mr. Grabowski Mr. Pollock

AYES 6 NOES 2

Bill No. 1372

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff presents

No. 1492 WHEREAS, in 1785 a wagon carrying a second-hand printing press set out from Philadelphia heading for the settlement of Pittsburgh, then still an undeveloped community in the wilderness; and

WHEREAS, on July 29, 1786, a four page weekly paper called the "Pittsburgh Gazette" was printed in a primitive shop by John Scull, its founder and editor, along with Joseph Hall his fellow printer, producing approximately 700 copies during that first day; and

WHEREAS, the young newspaper had to struggle to obtain fees in hard currency from subscribers and advertisers, often accepting wheat, corn and fur pelts for payment; and

WHEREAS, high among its editorial priorities was support for passage of the American Constitution, proudly printing the full text of the Constitution once Congress voted in favor of passage in 1787; and

WHEREAS, in 1840 the paper became a morning daily which published editorials opposing slavery; and

WHEREAS, on August 2, 1927 the publication appeared in print for the first time under the name "Post Gazette" under ownership of the Block family.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby join in celebrating the 200th Anniversary of the "Post Gazette", the first newspaper west of the Allegheny's.

Michelle Madoff moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Scull:

Thank you all very much. I'm glad you didn't call the roll call.

I want to say two things. One is, I hope, and all of you were invited, that you all came to the concert a week ago. That was really the last and kind of the culmination of the observations that were made in 200 years.

We were very pleased to have you there. I didn't get to see everybody; actually we had close to 3000 or 2000 people. But we appreciate your coming, we appreciate the chance to call it to your attention.

I just want to say one other thing. Bill Block who owns the newspaper with his brother Paul is not in the country right now. He is, if you know him, a very very modest, self effactive person. But I have take the occasion when we were before the County Commissioners to receive a similar commendation of congratulations to point out that Pittsburgh, it seems to me, is extraordinarily lucky to have a daily newspaper which is owned by an individual or a family, it's not part of a group, and is a person who owns the newspaper, the family is living in the City, the ownership is present there and takes an active interest. That is an additional asset. I would make a pitch that we're going to have the paper here for another 200 years and this is the sort of thing we need, we're going to need that kind of interest.

So, with that little speech, I want

to thank you all very much again. It's been a pleasure.

The Chair:

Thank you.

Mr. DePasquale presents

No. 1491 WHEREAS, the family and friends of Guy DeLuca are hosting a testimonial dinner at the Churchill Valley Country Club on Sunday evening, September 21, 1986 in honor of his longstanding reputation as the toastmaster of Pittsburgh; and

WHEREAS, Guy was born in the Hill District, raised in Homewood, and currently resides in the Squirrel Hill neighborhood with his lovely wife, Margaret, devoting his time and energy to charitable causes; and

WHEREAS, Guy distinguished himself as a young man playing guard on the A.M. Thomas sandlot football team, which won the 1924 East End Lightweight Championship, before starting his career as a carpenter-contractor with Local 142; and

WHEREAS, Guy first displayed his lively musical talent as a banjo player in a five-piece local band which first performed at Poli's Restaurant on the balcony Guy built with his own hands; and

WHEREAS, as manager of several bowling allies in the Pittsburgh area, Guy also participated in tournaments, received three Dapper Dan Awards, and was selected to the Pennsylvania Bowlers' Hall of Fame, passing on his love of the sport to his son Guy "Buddy," Jr., the finest bowler ever to come out of Pittsburgh; and

WHEREAS, he has been married to

"Maggie," the ideal wife and mother, for forty-eight years, and is the proud father of two children, Guy, Jr. and Myra, and has been blessed with five grandchildren.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby proclaim the week of September 21 to September 27, 1986 as "Guy DeLuca Week" in the City of Pittsburgh in honor of his reputation as a friend to many and a man to all.

Mr. DePasquale moved to adopt the resolution.

Mr. Pollock seconded the motion.

Which motion prevailed.

Mr. DePasquale:

I just wanted to say this resolution was presented to Mr. DeLuca last night at the Churchill Valley Country Club by myself. He was very touched; in fact, tears came to his eyes. He was very surprised. Guy is a rather modest man even though he can be quite boisterous. He was really touched and really happy to receive this resolution.

Mr. Pollock:

Jeep, he's a nice guy but did you have to give him a whole week? Why not a couple of days?

Mr. Pollock presents

No. 1493 WHEREAS, The Jewish Chronicle of Pittsburgh was founded in March, 1962, representing a merger of the American Jewish Outlook and The Criterion; and

WHEREAS, for 25 years, The Jewish Chronicle has served the total metropolitan Pittsburgh community and

currently has a circulation of more than 14, 500 homes; and

WHEREAS, The Jewish Chronicle is a leader in the American Jewish Press Association and has been honored locally and nationally; and

WHEREAS, The Jewish Chronicle is a highly respected community, non-profit newspaper committed to informing its readership of matters of local, national and international significance.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby congratulate and commend The Jewish Chronicle of Pittsburgh, its general manager, Albert Zecher, its executive editor, Joel Roteman and the entire staff of the Jewish Chronicle; and

BE IT FUTHER RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby proclaim September 28, 1986 to be "Jewish Chronicle 25th Anniversary Day" in the City of Pittsburgh and thank The Jewish Chronicle and all of its talented employees for their exceptional work.

Mr. Pollock moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. DePasquale:

Mr. Chairman, if I may. I was proud and privileged to be at the beginning of the Chronicle when they first started in the Oakland area in 1962. I was very active in the Oakland neighborhood at the time and they were very helpful with the cause that we had in Oakland at the time and I've always been a great supporter and admirer of

the Jewish Chronicle.

The Chair:

Thank you.

Mr. Wagner presents

No. 1494 WHEREAS, the Federal Emergency Management Agency has suggested spending \$1.5 billion on the construction of bomb shelters to house public officials during a nuclear attack; and

WHEREAS, that same federal agency has twice refused to fund repairs of public facilities in several neighboring communities of the North Hills which were ravaged by flooding earlier this summer; and

WHEREAS, such an expenditure of public monies to protect officials in the case of manmade disaster cannot be morally justified when government ignores the needs of hundreds of families victimized by natural disaster; and

WHEREAS, local public officials must share the plight of the citizens and direct survival activities in the horrible event of nuclear holocaust and not seek to hide for selfish survival.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby requests that the Federal Emergency Management Agency discontinue any plans to build bomb shelters for the protection of public officials and redirect these monies to more vital local uses.

Mr. Wagner moved to adopt the resolution.

Michelle Madoff seconded the motion.

Michelle Madoff:

We can't get out of town over the bridges if it rains, never mind if it snows. What makes you think any public official or anyone would even get to a shelter? This is a piece of absurdity and you are absolutely right for catching it and I'd like to know how many dollars are involved that we might be able to put into helping the handicapped or some other things.

Mr. DePasquale:

Did they really expect us to believe they're going to spend \$1.5 billion on a bomb shelter for public officials and no one else is allowed in?

I have news for you. There's a poker machine in Oakland; get under that one because it's never been hit. In case there's an attack you'll be safe there.

Mr. Pollock:

I agree with Jack for two reasons. First of all, the idea of having only elected officials in bomb shelters is a joke because —

Michelle Madoff:

All of us together is a joke.

Mr. Pollock:

Well, the point is that if there's no one out there living to govern, what the heck good is having governors?

It's comments like the credit card company. I don't know if any of you saw this or not. They sent out instructions —

Mr. DePasquale:

Wait a minute, Mark. Do we have to share a room in this?

Mr. Pollock:

That's what I'm saying. We might get stuck with Michelle in the same shelter.

Michelle Madoff:

You should be so lucky.

Mr. Pollock:

There was a credit card company that sent out notices as to how to use their cards in the event of a nuclear disaster. Picture these people walking around with the bomb going off knowing how to use their credit cards.

Mr. Wagner:

Mr. President, the reason for this resolution is that it obviously is a misuse of taxpayer dollars. Even though they're federal funds, they're coming from our residents, our taxpayers, and I don't believe that they want us to spend dollars for that purpose.

In addition to that, we have trouble getting along together in public; I can imagine in a bomb shelter how bad it would be.

Michelle Madoff:

In a week, somebody would be dead.

Mr. Grabowski:

Mr. President, we're laughing a good bit about this resolution but I don't think it is a laughing matter. God forbid that this country is ever involved in a nuclear holocaust but if it is, I would certainly hope that someone in authority is left to direct the operations and perhaps this money is justified and needed. I mean, if there are people in

Washington that are expected to direct the affairs of the country, I hope they survive to do it. I understand Councilman Wagner's intent, but I do not feel compelled to support this resolution.

Mr. Pollock:

Steve, do you need instructions on how to use your credit card once the bomb comes down?

The Chair:

Thank you. One opposed on the resolution.

WHICH MOTION PREVAILED.

The Chair:

I have some business of my own; I'm going to rearrange some committees. I am putting Ms. Madoff on General Services, Mr. Grabowski on Planning, Housing and Development, and Mr. Pollock on Water.

Michelle Madoff:

Hot water?

And on the motion of **Mr. DePasquale**

Council adjourned.

Municipal Record

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Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, September 29, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Givens
	(Pres't Pro tem)

ABSENT:

Mr. Woods

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair, Pro tem:

I'd like to make a comment on our moment of peace. We did have a movement that came through the City of Pittsburgh last Thursday, a peace movement, that started in California where myself and the Mayor went down and spoke before. It was a very interesting group. They got stalled, of all places, in the Mohave Desert, next to the Flight Test Center Air Force out there in the middle of the Mohave Desert and surprising the Air Force people had gone out and accommodated them very well. And as I spoke to them last week, for the record right here, the military people who are in arms want peace more than anyone else. Speak to any combat person and they'll give you that word.

With that out of the way, we have two resolutions that we would like to submit out of order. One is Jack Wagner and the other is Mark Pollock.

Mr. Wagner:

Thank you, Mr. Givens. .

I'd like to ask former Councilman, Bill Robinson, and also Reverend Clifton Ruggs to please step forward for this resolution. It's good to see our former colleague back here today.

Mr. Wagner presents

No. 1530 WHEREAS, the Reverend Clifton Ruggs will celebrate his 10th pastoral anniversary as the minister of Saint Luke Baptist Church on Saturday,

October 4, 1986 and Sunday October 5, 1986; and

WHEREAS, Reverend Ruggs has earned the degrees of Bachelor of Theology, Masters of Theology and Doctor of Ministry; and

WHEREAS, Minister Ruggs received his call to pastor The Great Saint Luke Baptist Church in December of 1975 and was installed on April 4, 1976; and

WHEREAS, under his outstanding leadership The Saint Luke Baptist Church has continued its role of community service and improved its physical and spiritual foundations; and

WHEREAS, his outstanding service as an officer in the Allegheny Union Baptist Association and the Pennsylvania Baptist Conference have been both a credit to the civic and religious community of Pittsburgh; and

WHEREAS, for more than a quarter century Reverend Clifton Ruggs has faithfully pursued his dedication to service for mankind.

NOW, THEREFORE,

BE IT RESOLVED, that the Council and the Mayor of the City of Pittsburgh on behalf of its citizens does honor and recognize the past and present service to our city by the Reverend, Doctor Clifton Ruggs and does congratulate The Saint Luke Baptist Church and the Ruggs family on the occasion of Reverend Ruggs' 10th pastoral anniversary.

Mr. Wagner moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Wagner:

What I'd like to do is introduce former Councilman Bill Robinson who will then introduce Reverend Ruggs. I'd just like to say, Bill, it's good to see you back here in Council and please say a few words for us.

Mr. Robinson:

Mr. President Pro tem, and members of Council, and especially Councilman Wagner, it is indeed a pleasure to be here. Not only am I here as a former member of Council, but as a trustee of the Saint Luke Baptist Church. We at Saint Luke are very honored to have Reverend Ruggs as our minister but moreso we believe the Pittsburgh community is honored to have a man of his distinguished capabilities serve our community.

Without further ado, I introduce to you the Reverend Doctor Clifton Ruggs.

Reverend Ruggs:

Thank you, Mr. Robinson, to the President of Council, Honorable Ben Woods, to all the members of Pittsburgh City Council. There's a gratitude for your wishes and message today. I thank you for this very fine tribute during my 10th anniversary of the Pastor of the Saint Luke Baptist Church.

Something about the history of the church; it has been in existence since 1923. It is now located on Herron Avenue in the City of Pittsburgh, the most liveable city in our country.

I appreciate this honor that has been bestowed upon me and I want to express my thanks and gratitude to you and all the members of Council and especially in the presence of one of our very fine trustees of our church and

former member of City Council, Mr. William Russell Robinson. And I also convey the thanks of all the members of the Saint Luke Baptist Church and my prayers will be with you that God shall always be with you and direct your feet in the path of righteousness and I shall endeavor in the years to come as a preacher of the Gospel in the path of the Saint Luke Baptist Church and a citizen of this great city, to try to make Pittsburgh a better place to live.

Thank you.

The Chair, Pro tem:

Thank you.

Mr. Pollock presents

No. 1529 WHEREAS, the Afghanistan - U.S.S.R. conflict has left many Afghans in dire need of medical attention; and

WHEREAS, "Free Afghanistan" is a Washington, D.C. based, non-profit organization which provides airfare and visas for people in need of medical attention as a result of the Afghanistan - U.S.S.R. conflict; and

WHEREAS, Hazrat Khan is a 9-year old victim of said conflict who is in need of extensive surgical procedures, and Hazrat's mother and sisters were killed in said bombing and his father is still missing; and

WHEREAS, Dr. Timothy Janeway, an orthopedic surgeon at Shadyside Hospital is responsible for arranging the plans to have Hazrat come to Pittsburgh for these necessary surgical procedures; and

WHEREAS, "Free Afghanistan" paid for the airfare and the Shadyside Hospital staff provided free medical

care; and

WHEREAS, Hazrat is the sixth person Shadyside Hospital has treated in the past year from Afghanistan.

NOW THEREFORE, BE IT RESOLVED that the Mayor and the Council of the City of Pittsburgh congratulate "Free Afghanistan" and Dr. Timothy Janeway and other members of the Shadyside Hospital staff for their worthy undertaking and hope for the speedy recovery of this courageous young man, Hazrat Khan.

Mr. Pollock moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Pollock:

I just want to thank Dr. Timothy Janeway; he will say a few words.

It's unfortunate that this has been going on and I, along with many other people in the community, did not know anything about it. It's a very beautiful undertaking and Dr. Timothy Janeway and the Committee and the Hospital staff, those that are here as well as those not here, are really to be commended.

I want to say, after Dr. Janeway speaks, Hazrat will speak. It's a treat to have him here; this is a charming kid and I wish he was 18 so he could run for this office himself. He would win in a minute.

Dr. Janeway:

I'd like to thank very much Shadyside Hospital for their tremendous support in this undertaking. The Hospital

and the medical staff have freely donated services and have donated much time, all the doctors, without any charge, and they have been very, very supportive.

Afghanistan is one of those unfortunate countries we'd just don't read too much about nowadays. It's more attractive to talk about a lot of other areas in the world. But in Afghanistan, a country free and independent of 14 million people, there is something like 2 to 3 million people outright killed and another 3 to 4 million people that are refugees both in Iran and in Pakistan. It is not just that the Russians are shooting the fighters and fighting against the fighters, they're taking the country and making a scorched earth policy, such that they take little guys like this in the village that have nothing to do with the conflict between grown men, and indiscriminately bombing those villages, destroying the children and destroying the crops in order to get at the Freedom Fighters who only want to have the independence of their own country.

It's nice to know that Pittsburgh is supportive of this. It would be nice to know that our whole country is more supportive and I think that all of this points towards what we in the United States stand for which is freedom of determination, freedom to have your country and to live free in it. And this is what we would hope that this little guy and his country ultimately sometime would have once again.

Thank you.

Hazrat Khan:

Hello. Thank you. My name is Hazrat, I'm in Shadyside Hospital as a patient.

Michelle Madoff:

Do you get any toys?

Hazrat Khan:

Yes, and they take good care of me. The nurses are nice and the doctors are nice. I've already had one surgery and I'll do my other surgery later sometime and I hope I get to walk sometime and go back and fight for my country.

Thank you.

The Chair, Pro tem:

Needless to say, that was a very moving presentation that I think shows the beauty of this country where our own medical profession reaches out and helps people throughout the world.

We have another presentation by Mr. DePasquale.

Mrs. Masloff and Mr. DePasquale present

No. 1527 WHEREAS, John Brickley has recently retired from ten years of service as President of the Veteran Firemen's Association; and,

WHEREAS, John worked through four decades as a Pittsburgh firefighter before his retirement from the Bureau in 1968, beginning as a regular hoseman and earning promotions to Captain, Battalion Chief, and Chief Engineer of Fire Prevention; and,

WHEREAS, Mr. Brickley was one of the principal formulators of the present Pittsburgh Fire Code, an expert in hydraulics, and an outstanding leader for the rights and benefits of retired firefighters; and,

WHEREAS, John Brickley

continued the working tradition of his father, who was one of the original members of Pittsburgh Firefighters Local #1, and has seen his profession furthered in the lives of his two sons who serve as Pittsburgh Firefighters;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby offer our heartfelt congratulations to John Brickley for the completion of an exemplary career as a firefighter and representative of firefighters in the City of Pittsburgh for the past fifty-five years; and,

BE IT FURTHER RESOLVED, that we wish him a joyful and productive retirement.

Mrs. Masloff moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. DePasquale:

Is anybody from the Brickley family here? Well we'll see that John gets this.

As I ready, he's been a long-time firefighter and a long-time fighter for the retired firefighters and a close personal friend of mine and Sophie's and I presume most of the Councilmembers here. No one is more deserving than John Brickley.

Mr. DePasquale presents

No. 1526 WHEREAS, Sudden Infant Death Syndrome (SIDS) is the sudden death of an infant or young child, which is unexpected and in which a thorough postmortem examination confirms the diagnosis of SIDS and establishes that no

previously unsuspected abnormality or other disease process was present; and

WHEREAS, Sudden Infant Death Syndrome, commonly known as "crib death", is a disease which causes approximately 8000 deaths a year in the United States as the number one cause of infant death after the first month of life, and SIDS has no symptoms and cannot be prevented, even by a physician because this tragic syndrome strikes without warning, leaving parents devastated; and

WHEREAS, concerned individuals and parents who have lost children to this disease have banded together to promote research on SIDS and also educate the public on the nature of the Sudden Infant Death Syndrome; and

WHEREAS, it is vitally important that people who experience the tragedy of SIDS seek comfort and counseling from well-informed as well as compassionate individuals and services such as are provided by the Greater Pittsburgh Chapter of the Sudden Infant Death Syndrome Foundation; and

WHEREAS, it is vitally important to provide education for people who deal with SIDS as a part of their jobs: nurses, doctors, coroners, EMT's, rescue squads, police officers, social workers, and others;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh, do hereby proclaim the month of October, SIDS AWARENESS MONTH in the City of Pittsburgh, and call upon all its citizens to support and promote medical research that addresses this tragic syndrome and to observe this occasion in other fitting ways.

Mr. DePasquale moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. DePasquale:

It goes without saying that this is a sickness or a disease that strikes very quickly and we don't hear too much about it. It the kind of stuff they like to sweep under the carpet. But it's there and it's a real tragedy and it's about time that somebody really did something about it.

This is Kay Falkenhan, she is the President of the organization, and Karen Ebert.

Ms. Falkenhan:

Thank you very much, Mr. DePasquale, and thank you ladies and gentlemen for once again declaring October as SIDS Awareness Month in Pittsburgh. Our City is going to be the host very soon, starting October 9th, of a very important conference, the Eastern Regional Conference of the National Sudden Infant Death Syndrom Foundation. It will be Pittsburgh's opportunity to hear first hand from the nation's top researchers in SIDS and also to hear from three doctors at our own McGee Hospital who just received a very sizeable grant to do SIDS research. You're all invited to attend; anybody that would like more information can call our office at 481-1410.

I wish I could tell you that things have changed dramatically since I stood here last year; unfortunately, I can't. More children will die of SIDS again this year than will die of Syctic Fibrosis, childhood cancer, childhood heart disease, or child abuse, combined. SIDS, or crib death, is still the number one

cause of death in infants from one month to one year of life. World-wide incidents of SIDS last year, 1985, was 257,000. A quarter of a million families knew the pain of losing a part of their future. The death of one small baby touches far more than the immediate family; it touches relatives, neighbors, friends, co-workers, and that host of professionals that was mentioned in the proclamation. Unfortunately, the loss of the child is very much a community event.

In spite of tremendous efforts, the statistics just don't change. We have begun to understand SIDS; we now know that SIDS babies are subtly different from normal babies, even before they are born. They develop more slowly in utero, and they continue to grow and develop more slowly after birth. Their hearts beat faster and they breath faster, but these differences are so slight and so subtle that even the most astute and caring physician cannot yet identify a victim, a potential victim of SIDS. But we're getting there. With continued research we will be able to determine what babies are at risk of SIDS and if we can do that we've taken the first step towards preventing it. Until that happens though, until SIDS is eliminated, the families will continue to be the true victims of SIDS. They need to know that their community cares about the loss of their child and they truly need to know that it is known and understood that SIDS is still unpredictable and unpreventable.

This proclamation means an awful lot to the families here in Allegheny County who lost children to SIDS this past year. For them, for Karen, for Christen, and for myself, I thank you.

The Chair, pro tem:

Thank you all for coming.

Mr. DePasquale presented

No. 1497 Resolution providing for a Contract or Contracts, or use of existing Contracts for Repairs to Overlooks on Grandview Avenue, at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account EC 86-35.

Which was read and referred to the Committee on Engineering and Construction.

Mr. DePasquale moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Michelle Madoff:

Discussion.

The Chair, Pro tem:

Michelle, please. We cannot discuss an issue that's going to be presented before us.

Michelle Madoff:

I'm sorry, it's being presented and they want to move it up and I want to discuss why we should not move it up.

The Chair, Pro tem:

There is no discussion on a matter that is being presented before the Council. It will come up this Wednesday for discussion.

Michelle Madoff:

Mr. President Pro tem, may I get a ruling from the Parliamentarian as to

whether we can discuss —

The Chair, Pro tem:

Michelle, I don't want to rule you out of order.

Michelle Madoff:

May I get a ruling from the Parliamentarian? The question is, may I oppose a bill being waived Rule 8 for a reason and then give my reason?

Parliamentarian:

There's a motion on the floor. On the discussion, it cannot go to the bill but only to the motion.

Michelle Madoff:

I will only go to the motion. The reason why I would respectfully ask the President Pro tem not to move it up a week but to wait the normal time is that I have a bill that was defeated some time ago dealing with the overlooks and we are now starting in many areas to do just what my bill originally stated which is essentially having corporations maintain the overlooks, have their names but not diminish the names of the people that are being honored. As a matter of fact, their names could be put out and visible where they are not now visible on the overlooks. I need some time to have the bill pulled, for Mike Perry to get the bill out and all the copy and all the data and all the transcripts of why it was defeated, how it was defeated, and I don't think I can do that between now and Wednesday. It would be too much work for the City Clerk and his assistant to get all that data so I'd like to wait the normal time.

The Chair, Pro tem:

Michelle, I appreciate your

viewpoints. This bill is being presented in Engineering and Construction; it's for the repairs of the overlooks and Grandview Avenue and I don't think we can hold it up. I would not want any liability to come on the City of Pittsburgh. I know what you're talking about; you wanted some of the appropriations etc. to try to deal in with that. I don't think that has any bearing, however, on this total bill.

Michelle Madoff:

We have to pay for it; it has a lot of bearing.

The Chair, Pro tem:

Well, if Wednesday when we discuss that, if you have some corporations that want to come forward, then we'll be happy to entertain them repairing those particular sites.

Michelle Madoff:

I don't think I could arrange it by Wednesday.

The Chair, Pro tem:

I personally feel this bill is properly presented and should be waived on Section 8. And with that in mind, is there any other discussion on that?

Mr. Wagner:

Mr. Givens and members of Council, I strongly suggest that we put the bill on the agenda. Those overlooks are deteriorating, residents have been complaining to us about them, and it's important that we move forward and have them repaired prior to inclement weather.

The Chair, Pro tem:

I agree with you, Jack.

Michelle Madoff:

May I respond, please? I have no problem with getting the work done. I would only like to have the opportunity to get the material pulled to show that we could save taxpayers' dollars by having corporations' get indemnity by maintaining these overlooks and save the taxpayers a great deal of money in these times where our money is being shut off.

The Chair, Pro tem:

Michelle, you can state your case on Wednesday when the bill comes up to Council.

Michelle Madoff:

Mike, you have an assignment between now and Wednesday; pull everything, the transcript, everything.

WHICH MOTION PREVAILED.

Also,

No. 1498 Resolution providing for the issuance of a warrant in favor of Pugliano Construction Company (Angelo Pugliano, Partner) in the amount of \$1,962.00 in payment of Extra Work, being in addition to the original contract price of \$739,000.00 on Controller's Contract No. 27721, furnished for the benefit of the City in connection with the Building General Construction at the Pittsburgh Zoo, Phase 4.1: Plaza, payable from Code Account PR 81-02. (PRIOR APPROVAL GRANTED)

Also,

No. 1499 Resolution providing for the issuance of a warrant in favor of

Nicholson Construction Company (Peter Nicholson, President) in the amount of \$51,289.29 for the final partial payment of Extra Work for water and sewer line work on the Goettman Street Wall Emergency Contract, payable from Code Account PW 84-38. (PRIOR APPROVAL GRANTED)

Also,

No. 1500 Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company (Peter Nicholson, President) in the amount of \$23,579.00 for the final partial payment of an Emergency Contract for the Reconstruction of the Goettman Street Wall, chargeable to and payable from Code Account EC 85-19. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Also,

No. 1501 Resolution Repealing Resolution No. 555, effective July 15, 1983, entitled: "Providing for a Contract or Contracts for Rehabilitation of Six (6) Synchronous Motors at the Brilliant Pumping Station, at a cost not to exceed \$40,000.00, chargeable to and payable from Capital Budget Account No. WD 83-04.

Also,

No. 1502 Resolution amending Resolution No. 1234, effective November 26, 1980, entitled: "Providing for an Architectural and/or Engineering Agreement or Agreements in connection with the construction of a new No. 42 Fire Station, Chestnut Street and providing for the payment of the cost thereof," by decreasing the total project allocation from \$80,000.00 to \$66,703.19, chargeable to and payable from 1979

CDULO, No. 42 Fire Station, Chestnut Street.

Also,

No. 1503 Resolution further amending Resolution No. 244, effective April 20, 1983, as amended by Resolution No. 686, effective August 21, 1984, entitled: "Providing for an Agreement or Agreements for Architectural/Engineering Services and a Contract or Contracts, including the use of existing Contracts, for construction in connection with alterations at Special Populations Program Centers to accommodate the physically handicapped, and providing for the payment of the cost thereof," by decreasing the total project allocation from \$80,000.00 to \$79,484.00, chargeable to and payable from the 1982 CDLB - \$71,000.00 and 1981 CDLB - \$8,484.00.

Also,

No. 1504 Resolution further amending Resolution No. 1283 of 1985, as amended, entitled: "Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Budget Improvement Program," by increasing line item EC 86-32, Engineering Services by \$125,000.00 to cover the salaries for the Department of Engineering and Construction personnel for the remainder of 1986; and adjusting the Summary Totals - EC 86-89, Larimer Avenue Bridge Replacement, is being created with a project allocation of \$60,000.00. This will cover the Preliminary and Final Design costs for this project.

Also,

No. 1505 Resolution providing for

an Agreement or Agreements with a Consultant or Consultants for Preliminary and Final Design Services in connection with the Replacement of the Larimer Avenue Bridge over Conrail Tracks; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation, at a cost not to exceed \$60,000.00, chargeable to and payable from Code Account EC 86-89.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Grabowski for Mr. Givens presented

No. 1506 Resolution transferring the amount of \$1,300.00 from Code Account 1646, Repairs, to Code Account 1644, Supplies, both accounts within the Bureau of Operations, Traffic Division, Department of Public Works.

Which was read and referred to the Committee on Finance.

Also,

No. 1507 Resolution amending Resolution No. 58, effective February 12, 1986 entitled: "Providing for an Agreement or Agreements with the Bloomfield Citizen's Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account No. 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation," by changing the service provider from the Bloomfield Citizen's Council to The Ursuline Center, Inc.
—(SPONSORED BY MR. GIVENS)

Which was read and referred to the Committee on Parks and Recreation.

Mr. Grabowski moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 1508 Resolution providing for the issuance of a warrant in favor of 3M Company in the amount of \$1,579.84 for the emergency purchase of Microfilm Printer Paper needed for daily work performance in the Permits Office of the Department of Public Works, chargeable to and payable from Code Account 1502, Miscellaneous Services.

Which was read and referred to the Committee on Finance.

Also,

No. 1509 Resolution Repealing Resolution No. 147 effective March 3, 1986, entitled: "Providing for an Agreement or Agreements between the City of Pittsburgh and the Steel Valley Council of Governments for a Hydrolic Study of the West Run Creek, at a cost not to exceed \$1,250.00, chargeable to and payable from Code Account 1502, Miscellaneous Services, Directors Office."

Which was read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1510 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 16 by changing: From "M3" Light Industrial District to "C3" Commercial District certain property

having frontage along PENN AVENUE; DAHLEM STREET and the Port Authority "Martin Luther King" Busway, 11th & 12th Wards.

Also,

No. 1511 Resolution approving a Conditional Use Exception under Section 993.01(a)(10) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, to the Western Pennsylvania School for Blind Children to raze certain buildings, construct two (2) new wings and redesign the exterior site (including 102 parking stalls) at the existing facility located at the intersection of BAYARD STREET and NORTH BELLEFIELD STREET, 4th Ward.

Which were read and referred the Committee on Planning, Housing and Development.

Mr. O'Malley presented

No. 1512 Resolution providing for the issuance of a \$1,500.00 warrant to James L. Smith Agency for payment of the annual premium for the Workers' Compensation Self Insurance Bond, chargeable to and payable from Code Account 44, Workers' Compensation, Department of Finance.

Also,

No. 1513 Resolution authorizing the Mayor and the Directors of the Departments of Finance and Public Works, on behalf of the City of Pittsburgh to enter into a lease with the Grain Associates, Ross Nese, General Partner, at an annual rental of \$1,800.00 for a term fifty (50) years commencing on the effective date of this Resolution. Leasing a portion of Wharton Street, between South 22nd Street and the Birmingham Bridge in the

16th Ward of the City of Pittsburgh.

Also,

No. 1514 Resolution providing for the filing of an application or applications with the County of Allegheny and/or with the Authority for Improvements to Municipalities, and also for Agreements with each of the two said parties, concerning certain annual grants to the City commencing with the year 1986 and continuing each and every year thereafter, through the year 2011, and also concerning annual deferred loans to the City in amounts not to exceed \$426,000.00 each, for the same years, the proceeds of which grants and loans shall be used for projects and for facilities located within the City of Pittsburgh, and providing for the creation of a special trust fund for the deposit of said proceeds.

Also,

No. 1515 Communication from Mayor Caliguri, requesting authorization for David Donahoe to attend a meeting of Mayors and other public officials concerning the impact of the new tax reform legislation in New York City, October 6, 1986, at a cost not to exceed \$400.00, payable from Code Account No. 1018.

Also,

No. 1516 Communication from Stephen Schillo, Deputy Director/Treasurer, Department of Finance, to attend a conference on General Obligation and Tax-Supported Debt Ratings in Orlando, Florida from October 26-28, 1986, at a cost not to exceed \$990.00, payable from Code Account No. 1063, Miscellaneous Services, Department of Finance.

Also,

No. 1517 Communication from Ronald Schmeiser, Director, Department of Finance, requesting authorization for Robert Yakich to attend a one day seminar sponsored by the Business & Professional Research Institute on "Techniques for Collecting Accounts Receivable" to be held October 28, 1986, at the Hyatt Pittsburgh at Chatham Center, at a cost not to exceed \$195.00, payable from Code Account No. 1063, Miscellaneous Services, Department of Finance.

Also,

No. 1518 Communication from Melanie Smith, Director, Department of Personnel & Civil Service, requesting authorization for Jim Klein to attend a one-day seminar on the Single Audit Act of 1984 on Thursday, October 9, 1986 at Robert Morris College, Moon Township Campus, at a cost not to exceed \$175.00, payable from JTPA-1 Trust Fund, federal funds.

Which were severally read and referred to the Committee on Finance.

Mr. Wagner presented

No. 1519 Resolution authorizing the issuance of a warrant in the amount of \$5,900.00 in favor of Rovitto Demolition in payment of contract for demolition and removal of a 3 story frame party-wall dwelling & 2 story brick & frame garage (rear) located at 1162-64 Voskamp Street, 24th Ward, chargeable to and payable from Code Account, Capital Project Funds 4-27-10-0005-86.

Which was read and referred to the Committee on Finance.

Also,

No. 1520 Communication from

Louis DiNardo, Acting Director, requesting permission for Assistant Chief Ralph Pampena and Lieutenant Bernard Schmiedike, Bureau of Police, Department of Public Safety to attend a meeting on "The Municipal Police Officers Education & Training Commission" to be held in Meadville, PA on September 18, 1986, at a cost not to exceed \$150.00, payable from the Department of Public Safety Code Account (PRIST). (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Public Safety.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1521

Report of the Committee on Finance for September 24, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1390

A Resolution entitled, "Resolution authorizing issuance of a warrant in the amount of \$11,500.00 in favor of Casciato Brothers, 4748 Child Drive, Pittsburgh, PA 15236, in payment for emergency clean up of collapsed wall at 420 N. Aiken Avenue, Ward 11-04, without previous authority of law and providing for the payment thereof."

Which was read.

Mr. DePasquale:

In regards to Bill 1390, even though

the work has already been done, I move to recommit. It is rumored, in fact, it's almost fact, that Casciato Brothers is one of the companies that may be called in and questioned on the bid rigging and if there is an indictment there I don't think we should be paying for work of someone that is in that type of business. I'm not saying he is or isn't; that's none of my business, it's the Grand Jury. But it's the City's business when we're paying somebody that got involved in that type of stuff. And if he did, he shouldn't get paid; if he didn't, that's that. So, I move to recommit Bill No. 1390.

Mr. Grabowski seconded the motion.

Michelle Madoff:

Discussion. I think we're all dealing from questions we were asked by the media or what appeared in the newspaper. I think it's incumbent upon this Council to have Mr. Imhoff who I believe handles our demolition jobs supply this Council with the tab sheets, who bid, so we could take a look at how the process came to be.

It's interesting today we voted to change the final figure on the fire station on the North Side. Talk about demolition rip-offs, Crown Wrecking —

The Chair, Pro tem:

Please, we're on Bill 1390. Mr. DePasquale indicated his concern, it has been so addressed —

Michelle Madoff:

You cannot just say you're concerned with one company; I think we ought to look at the whole picture, the whole ball of wax, and this Council should be brought up to date and to be informed as soon as possible as to who

was involved, what role the City played in it, if any, and what is the story so we don't get our facts second and third hand. We should be knowing what the details are since we are the ones that vote for these contracts. They are letter bids that go out for demolition jobs, they go in rotation sometimes, and they are just negotiated. I think the process ought to be reviewed with this Council.

The Chair, Pro tem:

Michelle, that's why we're going to discuss that Wednesday.

Michelle Madoff:

I'd like to have a post agenda scheduled to discuss the whole ball of wax. And as soon as possible.

The Chair, Pro tem:

Your request will so be honored.

Mr. Wagner:

Mr. President Pro tem and members of Council, do these allegations involve the particular job that we're referring to in Bill No. 1390 which is the wall collapse on North Aiken?

Mr. DePasquale:

If I may, Mr. President. No, Jack, that was an emergency job, not a bid job. Somebody called Casciato and he came out and did it.

Mr. Wagner:

I would just like to say, if they don't involve this particular project, I think we should move forward on the legislation and if we don't I think we are placing ourselves in a position of liability if we don't move on the legislation. If it involved another project with the same

contractor, I could see holding the piece of legislation, but not this contract.

Mr. DePasquale:

Mr. Chairman, if I may. I have to interject here. On second thought, Mr. Wagner is probably absolutely correct and I withdraw that motion to recommit.

Mr. Grabowski:

I withdraw my second.

The Chair, Pro tem:

Okay, the motion and the second are withdrawn.

Also,

Bill No. 1405

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Frank Dee Company (Francesco DiGiacomo, Owner) in the amount of \$864.00 in payment of Extra Work, being in addition to the original contract price of \$30,000.00 on Controller's Contract No. 28261, furnished for the benefit of the City in connection with the Marble Restoration in the Offices of the Treasurer and City Controller; and providing for the payment thereof."

Which was read.

The Chair, Pro tem:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Givens
	(Pres't Pro tem)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1411

A Resolution entitled, "Resolution transferring the sum of \$40,000.00, Forty Thousand Dollars, from Code Account No. 1167, Index Code Number 116707, Wages, Regular Employees - Department of Environmental Services, to Code Account Number 1177, Index Code Number 117705, Garbage, Refuse and Ash Disposal - Department of Environmental Services."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Givens
	(Pres't Pro tem)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1417

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Roth Cash Register Company, Inc. in the amount of \$1,611.00 for the purchase of two cash registers for Phipps Conservatory without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 1418

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Roth Cash Register Company, Inc. in the amount of \$805.50 in payment for the purchase of a cash register purchased without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1419

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Sal Reck Equipment Company for services provided to the Pittsburgh Aviary in the amount of \$750.00 without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 1420

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Kesten & Eggerman, in the amount of \$782.00 for the purchase of an ice machine for the Schenley Park Golf Course, without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 1421

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Donald R. Frey and Company for the Buc's Budget System in the amount of \$1,955.00 furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1424

A Resolution entitled, "Resolution providing for the issuance of warrants in the amount of \$5,482.16 in favor of Computer Centers of America and the Texwipe Company for specially ordered items not included on the price lists of present City Contracts, for the purchase of computer equipment from Computer Centers of America and wiping materials from the Texwipe Company. Funds are available in Code Account 1044, Index Code 104406."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Givens
	(Pres't Pro tem)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1425

A Resolution entitled, "Resolution authorizing the transfer of Twenty eight thousand dollars (\$28,000.00) from Code Account 1060, Index Code 106005, Salaries, Regular Employees, as follows: eighteen thousand dollars (\$18,000.00) to Code Account 1061, Index Code 106104, Salaries, Temporary Employees and ten thousand dollars (\$10,000.00) to Code Account No. 1061-1, Index Code 106112, Premium Pay, all within the Department of Finance."

Which was read.

Also,

Bill No. 1426

A Resolution entitled, "Resolution providing for a License Agreement with WRS Motion Picture Laboratory, F. Jack Napor, President, which grants the grading and planting of trees on a parcel of City property located on South Bouquet Street in the 4th Ward,

designated as Block 27-S, part Lot 150."

Which was read.

Also,

Bill No. 1428

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Finance, on behalf of the City of Pittsburgh, County of Allegheny and School District of Pittsburgh to transfer its rights, title & interest, if any, for certain Three Taxing Bodies' properties in the 21st Ward of the City of Pittsburgh to the Pennsylvania Department of Transportation. Deeds to be in Quit Claim form for a total consideration of \$74,560.00 as indicated per the listing below."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Givens
	(Pres't Pro tem)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. DePasquale for Mr. Givens presented

Bill No. 1522

Report of the Committee on Public Works for September 24, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1412

A Resolution entitled, "Resolution amending Resolution No. 95, effective February 17, 1986, entitled: 'Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the rental and repair of equipment in connection with the City of Pittsburgh's Capital Construction Division, and providing for the payment of the cost thereof,' by increasing the total allocation by \$25,000.00."

Which was read.

Michelle Madoff:

On Bill 1412 which is the issue that I raised and was confirmed that we are really not doing everything we can to acquire repossessed equipment which is part of our new legislation and I would like my comments brought forward as part of the permanent record and I will vote no as a protest vote until we get our act straightened out.

(MICHELLE MADOFF'S REMARKS ON BILL NO. 1412, - WEDNESDAY, SEPTEMBER, 24, 1986)

Michelle Madoff:

Discussion. What is the extra equipment?

Mr. Kraszewski:

It is for rental accounts when we are in our peak season to supplement our construction program. We own a lot of equipment in our Heavy Equipment Division, but this is just to get us through the peak season, highlifts and stuff like that.

Michelle Madoff:

What ever happened to the equipment you were going to buy from repossessions? Could you buy some of the equipment that was repossessed at great prices and keep it around because your equipment breaks down from time to time that is not in peak season? I have talked about that for about six years.

Mr. Kraszewski:

We were pursuing that, with your urging, and the last time we advertised we have advertised new or used, I believe and there didn't seem to be much interest in from the vendors point of view; so we have to explore that.

Michelle Madoff:

And I will tell you why there is no interest because they don't read the fine print that you need a magnifying glass and glasses. The people that do buy the repossession from corporations that have gone out of business or have moved out of here. For example, you built and electric arc which is brand new and you then you don't operate it. The equipment is brand new; it's probably still in warranty, but they are not going to answer your little add because they probably don't even see it. You have to make an conservative effort to go out to the companies that have repossessed equipment and that goes from typewriters, office furniture, you can get

equipment that we couldn't afford to buy for the city, executive equipment for pennies on the dollar and if we are going to go ahead for this kind of thing, item for item, I am not going to vote for it and I am going to protest by not voting for it now to get you a message. The others can vote for and I am sure it will pass, but please would you tell Mr. Gaetano and all else and there is a list and we have prepared a list at one time of all the companies that deal and I just can't think of some of their names right now in repossessed equipment.

All the companies that sell the equipment take them back from companies that have gone out of business for one reason or another and in many cases it is still in warranty. Certainly it is a lot better than some of our backhoes that are 17 years old at the Water Department that we keep renting and paying repairs; it would be so much more cost effective to go out and buy something that is in good shape and I talked to the Mayor about it over four years ago and he said it was a good idea he would assign someone to just go out and look at equipment and what we need to do and perhaps if you would meet with Paul McDermott and George Jacoby and see whether we can find such a person. Everybody is in agreement but nobody is doing it.

Mr. Kraszewski:

We have met with George Jacoby on this matter in the past, but you are right, nothing has been finalized on these terms.

Michelle Madoff:

The point is you don't know how to go about it; you can't just put an RP and say well, respond. I mean you do letter bids, you have always done it and there is nothing wrong with sending a letter out

with specific companies who deal in repossession. I can give you the name of the person who can give you everyone of the companies who deals with it. Her name is Donna Williams, she is at Westinghouse Credit and she will give you the names of the people who do the repossession and are dying and eager to sell the repossessed as well as the new and of course, they will try to sell you the new. You can ask can I have a list of the — you can put a notice in asking for a list of the repossessed equipment each month from the companies and pick what you want from it and then ask to bid on that specific item because it will be on the list already.

Mr. Kraszewski:

I agree with what you are saying, but I think what we are really talking about is the adoption of a city-wide policy and not an individual department.

Michelle Madoff:

I couldn't agree with you more, but I am going to use this as an example and not vote for it.

Mr. Kraszewski:

I understand.

Michelle Madoff:

I would like this carried forward to Monday's notes please? This is like six years of this our four years of this and the answer for me is no, I am opposed.

(END OF REMARKS)

The Chair, Pro tem:

Is there any further discussion on the bill?

And on the question, "Shall the bill

pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Givens
	(Pres't Pro tem)

AYES 6 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1413

A Resolution entitled, "Resolution granting unto Charlene Chirum and David and Helen McCracken, their successors and assigns, the privilege and license to construct, pave, maintain and use at their own cost and expense, a driveway for off-street parking on a portion of the right-of-way of Bellaire Place in the 32nd Ward of the City of Pittsburgh."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Givens
Mrs. Masloff	(Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Grabowski presented

Bill No. 1523

Report of the Committee on Planning, Housing and Development for September 24, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1478

A Resolution entitled, "Resolution amending Resolution No. 1057, effective November 25, 1985, which provides 'authorizing the Mayor, the Director of the Department of City Planning, the Director of the Department of Public Works, the Director of the Department of Water, the Director of the Department of Finance, for and on behalf of the City of Pittsburgh, to enter into a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the Redevelopment of the Pennsylvania/Brighton portion of the Pennsylvania/Kirkbride Redevelopment Area Project, being Redevelopment Area No. 49 located in portions of the 22nd and 25th Wards of the City of Pittsburgh, providing for the conveyance to the Authority of certain property, the

vacation of certain rights of way and the conveyance to the Authority of vacated rights of way, the acceptance of dedication of new street, sewers and waterline, changes in zoning, non-discrimination in the use of public facilities and the transfer of funds to undertake redevelopment activities' to provide for the acquisition of additional public owned property."

Which was read.

Michelle Madoff:

Discussion. Will you clarify where that property is. I wanted to know if that was the Mistick area; I am being told it is not. What is that property for? Would somebody tell me? Does anybody know?

Mr. Grabowski:

I know it's for redevelopment but the Misticks, to the best of my knowledge, have not —

Michelle Madoff:

I'm just curious if it was the same property because it sounds like the same area. What is this being held for, for what kind of development? Do we know that?

Mr. Grabowski:

A light industrial park.

Michelle Madoff:

A light industrial park in that area. Do the residents want a light industrial park in that area?

Mr. Grabowski:

Yes. In fact, this Council appropriated some \$800,000 to help this

project last year.

Michelle Madoff:

And we're just going ahead with the infrastructure.

Mr. Grabowski:

No, this is giving additional public property to the URA so they're actually the ones handling it.

Michelle Madoff:

But it's for infrastructure. Everybody that was named does the infrastructure, water, sewer lines, etc. Just so I know what I'm voting on. Thank you.

The Chair, Pro tem:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Givens
Mrs. Masloff	(Pres't Pro tem)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff:

I'd like to change my vote, if I may, please. I'd like to abstain.

The Chair, Pro tem:

According to Robert's Rule of Order and according to last week's debate, you cannot change your vote.

Michelle Madoff:

Hold on just one moment, please.

The Chair, Pro tem:

I'll direct it to the Parliamentarian. Can anyone change their vote, Mr. Parliamentarian?

Michelle Madoff:

We haven't finished the vote yet.

Parliamentarian:

Under Robert's Rules, once the vote is declared, it's too late to change the vote.

The Chair, Pro tem:

The vote has been declared.

Michelle Madoff:

The vote hasn't been declared.

Mr. DePasquale:

Do you mean to tell me you can't change your vote?

The Chair, Pro tem:

Excuse me, anybody speaking before this body please address the President and I will direct whether you can speak or can't speak. Too many people are trying to talk at one time. Michelle, you have the floor.

Michelle Madoff:

I think there's some confusion, Mr. President. What happened in the previous issue when you tried to change a vote was that we were already on to a second bill and you wanted to go back to a previous bill. We're still on the same bill and while we're doing a roll call, as Mr. DePasquale said, what if you said yes when you meant no. We often have that happen because sometimes a yes means no and a no means yes.

I did ask for more information; I abstained at that time based on what's happening, people wanting to get certain pieces of property being told they couldn't get them. I did not have enough information. And I still feel it would be appropriate for me to abstain until I'm clear on that. So, I would like to abstain on my vote on 1478.

The Chair, Pro tem:

The Parliamentarian so ruled that you cannot do it once the bills are read and final action has been taken and voted upon. Everyone voted on it, Michelle.

Michelle Madoff:

No, we are allowed to change our vote while the vote is still going on on the bill. The issue that you were ruled out of order on was two bills later; you couldn't go back to a previous bill.

The Chair, Pro tem:

It was one bill later but that's —

Michelle Madoff:

This is not one bill later; we're still on the same bill.

The Chair, Pro tem:

I'll stop debate on this. Mr. Parliamentarian, what is the ruling? Can she or can she not change her vote?

Parliamentarian:

The ruling stands except with consent of the body. If the body consents to her changing the rule on her vote on things that have immediately been passed, she can do it.

The Chair, Pro tem:

Michelle, then do you want to challenge the Chair and ask for the whole body to reconsider?

Michelle Madoff:

One moment please. Mr. President, I believe the Parliamentarian is a little premature. We have not announced the total vote yet. You were in the process of doing it when I wanted to change my vote.

The Chair, Pro tem:

I'll stop you right there. Chief Clerk, where were we in the recall of the vote?

Mr. Perry:

The vote was given and the presentation from Mrs. Masloff was asked for. So the vote was given, Michelle.

Michelle Madoff:

Okay then I'm asking whether, before we go to the next bill, whether I'm allowed to change my vote and the answer is only with the permission of the body. Then I'm asking the Chair to ask the body if I may change my vote.

Mr. DePasquale:

I just wanted to say, and I refer this to the Chief Clerk, there have been times, Mike, when we already voted and started out of the room when you had said to me when I was President of Council that someone wanted to vote the other way and was going to change their vote. And we did on more than one occasion. You, yourself, Mr. Givens, were the person on a couple of occasions who decided to change your vote after, and we did change that vote.

The Chair, Pro tem:

I might say, Jeep, that I brought that same argument up last week and I was ruled out.

Mr. DePasquale:

You went back two bills, Dick. We're talking about the present bill. I'm not disputing with the Parliamentarian, I'm just saying it's been done before. In fact, in this case here, it doesn't change the vote anyway. I think she would be the only dissenting vote.

Michelle Madoff:

It's the issue that's more important than the vote right now.

Mr. DePasquale:

That's what I'm saying.

The Chair, Pro tem:

The Parliamentarian so indicated that you have to appeal to the body to waive Council's rule, I would assume, to let you change your vote before the Council.

Michelle Madoff:

Mr. Chairman, on the vote last week —

The Chair, Pro tem:

Do you have a motion, Michelle?

Michelle Madoff:

I did make a motion to ask you to —

The Chair, Pro tem:

Is there a second to that motion?

Mrs. Masloff:

I second the motion.

The Chair:

All in favor? Opposed?

No one is opposed.

Michelle Madoff:

I change my vote to abstain on Bill 1478.

The Chair, Pro tem:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Givens
	(Pres't)

AYES 6

NOES none

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 1524

Report of the Committee on Parks and Recreation for September 24, 1986 transmitting sundry resolutions to Council

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1422

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an independent contractor or contractors to provide professional services for monument renovations for the Department of Parks and Recreation and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1446

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to change the name of the Morningside Recreation Center to the Joseph B. Natoli Recreation Center." — (SPONSORED BY MR. WOODS)

Which was read.

Also,

Bill No. 1467

A Resolution entitled, "Resolution amending Resolution No. 736, effective August 19, 1986, entitled: 'Providing for an Agreement or Agreements with the South Side Community Council, for professional services relative to the South Side Merchants Baseball Team, at a cost not to exceed \$1,500.00, and transferring the sum of \$1,500.00 from Code Account No. 10, Accounts Payable Prior Years (Index Code 001008) to Code Account No. 1838, Miscellaneous Services (Index Code 183806) Department of Parks & Recreation,' by changing the service provider from South Side Community Council to the Arlington Civic Council." —(SPONSORED BY **MR. GRABOWSKI**)

Which was read.

Also,

Bill No. 1483

A Resolution entitled, "Resolution further amending Resolution No. 488, effective June 10, 1986 as amended by Resolution No. 738 of 1986, entitled: 'Providing for an Agreement or Agreements with the South Side Sooners Youth Football Program for professional services for 1986 at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account No. 1838, Miscellaneous Services, (Index Code 183806) Department of Parks and Recreation, and transferring \$2,000.00 from Code Account 10, Accounts Payable Prior Years (Index Code 001008) to Code Account 1838, Miscellaneous Services (Index Code 183806),' by changing the service provider from South Side Community Council to the Arlington Civic Council." (SPONSORED BY **MR. WAGNER**)

Which was read.

The Chair, Pro tem:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Givens
Mrs. Masloff	(Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. DePasquale presented

Bill No. 1525

Report of the Committee on Engineering and Construction for September 24, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1406

A Resolution entitled, "Resolution amending Resolution No. 899, effective October 3, 1985, entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering/Architectural Services in connection with the Design of the Public Safety Boat Docks and

Building; and providing for the payment of the cost thereof,' by amending the title and by increasing the project allocation by \$40,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Givens
	(Pres't Pro tem)

AYES 6 NOES 1

(MR. GRABOWSKI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1407

A Resolution entitled, "Resolution providing for a Contract or Contracts or use of existing Contracts, for the Renovation of the Rhododendron Shelter; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1408

A Resolution entitled, "Resolution

providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Community Affairs, for a grant in connection with the Exhibitory of the Zoo, Phase IV: Tropical House, providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Renovation, providing for required assurances; providing for the execution of payment vouchers on Letter of Credit; providing for the certification of authorized signatures; and for the deposit of funds into Unrestricted Cash."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Givens
Mrs. Masloff	(Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Grabowski presents

No. 1528 WHEREAS, on Sunday, October 5, 1986, the parishioners of Guardian Angels Church are celebrating their 75th Anniversary of service to the

Catholic Diocese of Pittsburgh and the West End-Elliott community; and

WHEREAS, the Guardian Angels Parish was established in 1911 by Polish families from the West End to preserve their national heritage and language in their Roman Catholic religious worship; and

WHEREAS, the first pastor, Reverend Michael Krupinski, guided a congregation of 210 families, 215 single persons, and 160 children, while the current pastor Father Wojcicki, shepherds a flock of 150 families and 465 parishioners; and

WHEREAS, during its seventy-five year history, the parishioners of Guardian Angels organized several committees of laymen to direct the renovation and expansion of their parish complex, maintain Polish customs, feasts, and traditions, and serve the West End-Elliott community; and

WHEREAS, the unique Polish character of Guardian Angels contributes to the rich tradition that makes Pittsburgh a colorful tapestry of close-knit neighborhoods and diverse ethnic communities;

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby congratulate the pastor and parishioners of Guardian Angels Church on their 75th Anniversary and wish the parish a heartfelt "Sto Lat" toward its continued service, development, and enrichment.

Mr. Grabowski moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Wagner presents

No. 1531 WHEREAS, since shortly after the turn of the century, the National Fire Protection Association has worked to raise the consciousness of the American public about the need to prevent fires through education, inspections, and demonstrations; and,

WHEREAS, fire deaths, injuries and property loss in the United States continue to be the highest in the world by a large margin, demanding that fire prevention programs must become a higher priority in American homes, schools, and workplaces; and,

WHEREAS, Pittsburgh, last year, experienced 15 deaths by fire, 81 fire-related injuries, and 3,913 fires, with the most frequent victims of fire being the young and the elderly; and,

WHEREAS, the Pittsburgh Bureau of Fire, in cooperation with Parkway Center Mall, P.P.G. Industries, the Neighborhood Safety Program, Magic Y-97 Radio, West Penn Hospital Burn/Trauma Center and Employee Safety Program, will be sponsoring educational demonstrations and activities to promote "Fire Prevention Week;" and,

WHEREAS, this year's theme is "Learn Not to Burn - It Really Works!" because increased awareness of fire prevention precautions and practices will save lives and property;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby declare the week of October 5-11, 1986 as "Fire Prevention Week" in the City of Pittsburgh.

Mr. Wagner moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Michelle Madoff:

Discussion. May I respectfully request, Mr. Wagner, that you might want to have some of the educational material put on at least Cable 21 or on 17 because previous bills introduced by this Council and one bill by myself on smoke alarms and multiple dwellings have been of a very serious nature. I had a woman call one time who had two children burned in a third story who bought a smoke alarm but did not put it in yet because there was no ruling. The Fire Department has come to this Council and informed us that we have the greatest number of deaths in private single family homes. People just don't have smoke alarms in their air shafts, mainly stairwells, and so on. And it might be very helpful if you could arrange to have that videotaped or shown live, preferably videotaped so they could show it over and over again.

Mr. Wagner:

I'd just like to respond, Mr. President. I think that's an excellent idea and the appropriate time, not only all year round but next week would even be a better time with it being National Fire Prevention Week —

Michelle Madoff:

Well I meant do it there but make a film of it.

Mr. Wagner:

Yes, and periodically show the film and the importance of smoke detectors

within all buildings, including residential homes.

This resolution simply highlights all the aspects of fire prevention and Chief Leahy and the firefighters either or both were supposed to be here and neither are, so therefore, I will present this to them at a later date.

The Chair, Pro tem:

I appreciate that but we do have people from Public Safety. Mr. DiNardo, could you come up? There's a presentation on a bill regarding Fire Prevention Week and I don't know if you've come up here for that or not.

Mr. DiNardo:

I'm not here for that purpose.

The Chair, Pro tem:

Okay. Thank you.

Mr. Wagner presents

No. 1532 WHEREAS, Pittsburgh's emergency medical service system provides emergency health care to thousands of citizens each year, reducing injuries and saving lives through prompt and adequate medical assistance; and,

WHEREAS, Life-threatening medical emergencies not only cause severe stress for victims and their families, but they also place unusual demands on health care delivery systems; and

WHEREAS, Emergency treatment requires the around-the-clock availability of emergency personnel who must be capable of mobilizing on a moment's notice; and,

WHEREAS, Emergency medical

technicians and paramedics are specially trained to handle sudden illnesses and injuries, and their efforts have ensured that visits to emergency care facilities are handled expediently and competently;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby tribute the outstanding lifesaving work performed by Pittsburgh's EMS team, a national leader in the delivery of emergency medical services.

Mr. Wagner moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Wagner:

I'd just like to say that it was requested by the Paramedics Union to present this resolution. They could not make it today at the last moment. The previous week was Paramedic Week, EMS Week, and this resolution simply indicates the fine job that they're doing.

The Chair, Pro tem:

I have to agree with you wholeheartedly. Paramedics have been a great asset to this City and have saved, I would have to assume, a tremendous amount of lives and given comforts to the people and our families and relatives that otherwise wouldn't be there under the old service of just calling a particular ambulance service to come down.

Mr. Wagner presents

No. 1533 WHEREAS, the City of Pittsburgh should be at the forefront in providing employment opportunities for

its citizens; and,

WHEREAS, a sufficient number of talented and qualified individuals are available within the confines of the City of Pittsburgh, the County of Allegheny and the State of Pennsylvania, to fill any and all positions that may be vacant now, or in the future within the City work force; and,

WHEREAS, priority should be given to hiring individuals for employment within the City workforce to those individuals deemed qualified who:

- 1) currently reside in the City of Pittsburgh
- 2) currently reside in Allegheny County
- 3) currently reside in the State of Pennsylvania.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby urges the Mayor to declare a moratorium on the hiring of individuals from out-of-state to fill vacancies within the City of Pittsburgh work force and to give highest priority to the many qualified, competent individuals that presently reside in the City of Pittsburgh.

Mr. Wagner moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Michelle Madoff:

Discussion. There are a number of questions. Are some of our employees grandfathered, City employees grandfathered, and do not have to live in the City? Is there a grandfathering act? Because it has come to my attention, and I am checking out one

particular situation where someone who is in a supervisory role with people under him does indeed not live in the City under requirements for the City and I don't want to mention names until I check it.

Secondly, I see you do it in a series of one, two, three. It would seem to me that we ought to hire City residents wherever possible since the City of Pittsburgh residents pay that four percent wage tax and it bothers me that at the Stadium, where we just voted \$21 million, we do not have a majority of people working even as people who take people to their seats as City residents. Many of them are county residents. Now, I know they're covered under union contract and I don't want anybody fired. But I think by attrition we ought to be replacing them with City residents. I've talked to the management of Three Rivers and that has not really been where it's at. We're still hiring non-City residents and the City of Pittsburgh taxpayers are still picking up the debt service. So, from that perspective, I think there's much to be done.

Now, with reference to your bill, I think you're aiming it particularly, I think, Mr. Wagner, at maybe some highly specialized fields where you may feel, and perhaps correctly so, that we could find the people right here in the area and I just don't know what your intent is. Perhaps you could clarify it.

Mr. Wagner:

Mr. President and members of Council, the purpose behind this resolution is simply a reminder to City government. As you know, we cannot mandate through legislation the hiring of all employees to be residents of the City of Pittsburgh. We can on the day that they are actually hired but not in the interview process and not in the

selection process.

What I am requesting here is that because of many recent situations where we have hired repeatedly people that not only live outside the City, people that not only live outside Allegheny County, people that live outside of the state of Pennsylvania, that we begin to focus again on the talent and the numbers of people that we have available for employment within the City of Pittsburgh first, within Allegheny County second, and within the Commonwealth of Pennsylvania third.

There has been a lot of this going on in the Public Safety Department, to be quite frank about it, and I have heard too many times as Chairman of Public Safety that too many people are being hired that are not even residents of this commonwealth, the Commonwealth of Pennsylvania.

However, this resolution does not pertain to one specific department or I would have indicated that in the resolution. We have also had other instances in other departments and I think it applies to all departments in City government. I also believe, following up on Councilwoman Madoff's comments, it should apply to the Authorities that are under jurisdiction of City government.

I have this resolution; it is simply ceremonial in fashion but I believe it says something that's very meaningful at a time when our unemployment in this City is as high as any major city in the country. We must give priority to people in this City for employment. There are many, many competent people out there. We have good universities, we have good medical institutions, and we have the people that are trained and qualified in many professions. If, in the event they're not a City resident, I could

bet that there's someone out there in the county and if they're not a county resident, I'll bet there's someone out there in the state of Pennsylvania.

I would like to see a copy of this resolution, if it passes, sent to all department directors, the Mayor, and all authorities that are under the jurisdiction of the City of Pittsburgh.

Mr. DePasquale:

Mr. President, if I may. I agree with Councilman Wagner wholeheartedly. In fact, I feel that any position filled in the City of Pittsburgh should be within the department. We have one now coming up, Water I believe, and I think the party that gets that job should be a member of the Water Department at the present time, obviously with a lot of experience and a lot of seniority.

But if I may refresh everybody's memory here, when I was last on Council I was under the impression that any non-resident who came into the City of Pittsburgh to work had to have a residency and I refer specifically to the Engineering and Construction Department when the vote went to 4-4 and as the Council President I broke the tie and voted for a waiver for Mr. McDermott. Why has that changed? Why are we no longer voting a waiver to someone who works for the City who is not a resident?

The Chair, Pro tem:

He was not living in the City at the time.

Mr. DePasquale:

Neither are these other people. They're coming in from Milwaukee, St. Louis, wherever. They haven't lived in

the City. They come right in and get the job and then they buy a residence here or get an apartment.

The Chair, Pro tem:

A person has to be, to my knowledge, just a resident of the City to be hired by the City. Directors, to my knowledge, have to get the approval of this Council and none, to my knowledge, have gotten it without living in the City.

Mr. O'Malley:

Pertaining to Paul McDermott, that vote was an extension of six months to give Mr. McDermott the opportunity to sell his home.

Mr. DePasquale:

Yes, but previously we voted on the waiver, Jim, six months before that. Then, if you remember, it became a hot political issue.

Mr. O'Malley:

He can accept the position and not be a City resident for six months which would give him the opportunity to sell his home and then he would have to move into the City of Pittsburgh. That's what that vote pertained to. On Mr. McDermott only.

Mr. DePasquale:

We gave him that because he was a non-City resident of the City of Pittsburgh and he was being hired as the Assistant then, I believe, in Public Works.

Mr. O'Malley:

Right.

The Chair, Pro tem:

All in favor of the resolution?
Opposed?

WHICH MOTION PREVAILED.

Michelle Madoff:

Mr. President, I'd like to bring a very serious problem to the attention of Council. I know that others have their phones listed because I call you and when I don't have the number I look it up in the phone book. Not all of us, but I end up with a lot of calls; I have a 24-hour answering service.

We had some problems with the Mission Street Bridge and the Herron Hill Water Tower. It appears that something is not right in the Department of Construction and Engineering in the way we supervise and we follow through on contracts that are given out. It is not acceptable to go to the lowest bidder and then have the lowest bidder not comply with the rules of the Allegheny County Air Pollution Bureau and with the laws of the nation to protect our residents from silicosis. You cannot sandblast with silica and not expect people to inhale that material and it does not dissolve in your lungs. It stays there permanently and studies have shown that we have cases that have proven to be, from the origin of the silica, resulting in cancer.

The people in these areas were not informed in advance. I have a very bad cold, I'm having difficulty speaking, so I would appreciate it if the Clerk would read a memo that came to my office so that it will be on the record officially. And then I have one other item after that, two items. As you know, I want to request a hearing on the item that was discussed by Mr. DePasquale and I have a couple of other quick things to mention.

The Chair, Pro tem:

Is there any way you could summarize that?

Michelle Madoff:

No.

Mr. Perry:

Memo dated September 14, 1986;
Herron Hill Water Tower - September 26 and 27 sandblasting and painting;
Contractor - INTERSTATE; Department - City Engineering and Construction.

"Friday, September 26th sand blasting began on the Herron Hill Water Tower. Ms. Donna Sagmeister of the Water Department had been contacted on September 22nd (Monday) requesting information on the scaffolds and what the City's plans were. We were informed that the water tower was to be sand blasted and painted. We were also told that we would be given at least 24 hours notice to move cars, close windows, take in lawn furniture or to leave the area. The sand blasting began at 8:30 a.m. and NO prior notification was given. A message was left for Ms. Sagmeister but we were not worried because the next day was a Saturday.

Saturday, September 27th, sand blasting began about 8:30 a.m. with no prior warnings. The neighborhood awoke to a fine haze in and around their homes.

The ALLEGHENY COUNTY AIR POLLUTION personnel were notified (9:00 a.m.). Mr. Goetz of the County Air Pollution in turn contacted Mr. John Valent of the City of Pittsburgh's Engineering and Construction. Mr. Valent stated that "they were almost done so they were going to finish up".

Mr. Goetz stated that they would

inspect the sight. Mr. Goetz stated that the proposed legislation to require permits for open air sand blasting had passed the Allegheny Board of Health and would be presented to the County Commissioners in the next few weeks.

This legislation would allow the Allegheny County Air Pollution people to be informed about all Abrasive Blasting Pollution, to monitor it before it began, instead of the present "in the middle of the job". The county would then be aware of the abrasive being used, whether the paint being removed contained lead, and if the area was densely populated."

Michelle Madoff:

Mr. President, thank you for allowing me to have that read. The issue basically is the contracts are being awarded and there are not safety precautions taken to protect people underneath, their cars, their lungs, their property, and they're using materials that are very dangerous to public health.

I'm sort of reluctant to go ahead and schedule a post agenda with Mr. McDermott; he just recovered, I understand he just came home from heart surgery, but the gentleman who is next in line, I think it's Mr. Valent, could certainly be here to respond as to how this happened and what precautions we're going to take.

I would like to have a post agenda scheduled, Mr. President, but not until I've had some time to work out with him. I need to study the RFPs, I need to study what was requested, why it wasn't done, and I want to make sure that the companies in question are fined. I will be in touch with the Allegheny County Board of Health to make sure that if they are in violation of EPA, DER or Allegheny County Board of Health and

Regulations that they are fined and they are brought before the magistrates. This is unconscionable.

The Chair, Pro tem:

I'd like to make a comment. The City of Pittsburgh, in negotiating any contract with any individual company, so states in their contractual agreement that they have to comply to state, local, and federal laws. In that federal law is OSHA. We require all companies to be bonded and, as a result, if they have any violation of any of those codes and they seek damage through the City of Pittsburgh then we will seek damage through the corporation that is in fact violating the laws of the land.

Michelle Madoff:

Mr. President, as a matter of fact, on page four of the City of Pittsburgh, Supplemental, specifications for cleaning and painting the Mission Street Bridge, pollution controls, and I presume this is in all our contracts, it's standard, the contractor shall assume full and complete responsibility to prevent air pollution with paint chips, dust, or other harmful materials. The contractor shall take necessary measures to prevent particular matter from becoming air born. Methods of cleaning and paint application specified herein are subject to the further restrictions, provisions, of Chapter 123 of Rules and Regulations of the Department of Environmental Resources. The contractor shall protect pedestrians, vehicular and other traffic upon or underneath the bridge and also all portions of the bridge superstructure and substructure against damage or disfigurement by splatters, splashes of paint or paint materials. He shall furnish adequate canvas or other suitable materials where necessary for such protection. Some paints are harmful to the health of humans and animals.

I don't want to go over it again but the contractor is responsible and I want this contractor held responsible on both issues.

I want to go back and look at some of the other laws and let's not even get involved with the contractor; let's change the rags and make sure that the specs are done. The contractors are starting before the Air Pollution Bureau are there. The contractors are starting before permission from our own departments. Our departments are shocked to find out they're already blasting on the job. They're using silica sand and then they're going to something called black beauty which is a slag abrasive and both of them are not very healthy and there are other methods that are more expensive but when it comes to health, we'll go with the more expensive.

On another matter. I would like to request a post agenda as soon as possible so that this Council can be briefed on the allegations that have been made in the paper about price fixing among demolition contractors so this Council does not look like it has mud on its face, that we have voted without knowingly being aware of what is going on. We should be briefed by Mr. Imhoff and any other party involved. Let's set that up, please, as soon as possible.

This Wednesday on my post agenda addressing the issue of properties on Arlington, Mr. Schmeiser is very pleased; he says he wants an opportunity to explain what has happened and I think he's entitled to that. I've asked Mr. Creehan to be here, I've asked for Public Works and Construction and Engineering to tell me when that road will be paved so that we will know what impact that roadway would have on housing going up and townhouses because of the fact that that would enhance the value of real estate on that property and the whole

property could be brought back to greater tax use. I want to have the appraiser for the City who appraises the properties for the City tell us what impact the paving of Arlington Road would have on that property. I want to have the person here who informed people they couldn't have the property because it was greenways. I want maps here to show where the properties are because I know there is some question of whether it is really the same property in question. I want a ruling from the Law Department, make sure the Law Department is here, as to whether we can take the property back and in what condition was it previously. I want photographs before and what condition it would be in. Should we take it back as a greenway? Should we take it back at all? And is this going to be a new ruling? I could not get from the Allentown people a petition. Mr. Creehan met with them privately a week ago Thursday and the word we got through our office is that the Allentown community wanted to deal in the proper method, meaning, through the procedure of government. Well, I can't think of a better procedure of government than this body at least being informed.

I would like to remind my colleagues, when I asked for a letter of inquiry, all I wanted was a letter of inquiry, and you're so busy protecting each other's proverbials, that this has now blown up into a full-scale investigation and so be it. And I ask that it be televised because I think that the public wants to know what's going on and I make that as a motion that on Wednesday my post agenda be televised and that has to be voted on by this Council. Every station is going to be here anyway and I think we should not shirk our responsibility. That is a motion; may I have a second?

Mr. Pollock seconded the motion.

The Chair, Pro tem:

On the post agenda, no post agendas are to be televised.

Michelle Madoff:

No, they're to be televised only when this Council votes to televise them by majority and any member can ask to have it done.

The Chair, Pro tem:

If we have that we're going to have all post agendas being televised.

Michelle Madoff:

Only if a majority votes for it.

Mr. Grabowski:

Mr. President, I think this issue was disposed of some months ago when someone else brought this motion before Councilman Woods and I think our rules state that once we vote on an issue it's dead until the next session of Council.

Michelle Madoff:

Excuse me, Mr. President, may I respond? The will of this Council, the rules that we set up in our own meetings is that we do not want to dissipate the monies for whatever programs it could be, for example, on fire, etc., so that we would only televise the important hearings or post agendas by virtue of a vote of Council, a majority of this Council. The question is, do we have anything to hide or do we have nothing to hide. Are we going to vote to put it on television or are we not going to put it on cable? I call the vote.

Mr. Wagner:

I'd just like to state that there was a motion put on the floor to televise all post agendas but that was in the previous session of Council. That was a written, formal, ordinance, I believe, that Councilwoman Madoff put in front of Council but it was well over nine months ago so I know it was in the previous session. Therefore, I believe a motion would qualify today.

Michelle Madoff:

That motion was defeated and the motion in its place was that we would vote.

The Chair, Pro tem:

You're saying it was in the last session of Council and therefore someone could bring this up as a motion again. We'd have to research that, Jack, and I don't think we can have a vote on it today, if that's the case. If Michelle might want to hold her post agenda for another week until we have an opportunity for the Chief Clerk to go back and find it. Mr. Grabowski so indicated that that was in fact shot down and the reason for it being was very obvious, that our television camera people, all the staff behind it and production, that they just don't have enough staff to do post agendas as well as doing everything else that must be done. Priorities must be set. That priority in Council was set; there was to be no post agendas televised.

Mrs. Masloff:

It was understood that because the post agendas were not structured, nobody was required to be here. There was no reason; they were not a regular organized meeting and that's why it was decided at that time not to have post

agendas televised.

In the matter of other hearings, we voted whether or not we have zoning hearings or any other hearings, that became a matter of a vote, whether or not those hearings would be televised. But it was understood because of what I just said that the post agendas would not be televised. And as you said, the cable people are not equipped to do it.

Michelle Madoff:

Mr. President, on the issue a moment ago before we got to my bill, my issue, we talked about giving, Mr. DePasquale talked about exemptions. The issue of Mr. McDermott moving in the City, this Council decided to have and exception, not an exemption, an exception. I would ask that this Council make an exception on this post agenda because it really is the best thing to do; otherwise, it becomes a full-blown hearing. I'm just saying it really is a hearing so let's just get on with it and get it over with and I'm asking that we make it an exception. We have the right to make it an exception.

The Chair, Pro tem:

Question from the Chair. Are you to have a hearing? I heard you are going to request a hearing.

Michelle Madoff:

I have a post agenda on Wednesday.

The Chair, pro tem:

Is there a hearing coming in on this also?

Michelle Madoff:

It is a post agenda. It is scheduled.

The Chair, Pro tem:

I know that but is there a public hearing?

Michelle Madoff:

No, but if you don't give me television to cover it, the cablevision, and I'm asking for an exception on this, then we will schedule it as a full blown hearing. And I don't think we need to do that any more than this Council should have not supported, in their infinite wisdom, just having a letter of inquiry. You just keep blowing it up and blowing it up; let's get on with it and let's get a result. Don't act like you have something to hide.

Mr. O'Malley:

I don't think anybody has anything to hide but in the seven years that I've been on this Council we have never televised post agendas. A post agenda is basically a forum for Councilmembers to gather information. What may be important to one Councilmember may not be important to another Councilmember. I would prefer that Michelle Madoff request a full blown hearing, if that's her wish, and then we vote on whether we televise that. But I'm against televising any post agenda for any reason.

The Chair, Pro tem:

As the Chair, I'm going to rule that the motion is out of order.

Michelle Madoff:

On the motion to rule me out of order. I would like to point out that this is now on cable. It will be shown again this evening, and no matter how you look at it folks, you all look guilty if you refuse to have it on a post agenda.

The Chair, Pro tem:

Michelle, that's out of order. I ruled the motion out of order from previous discussions that we've had in this Council, that we can't do two things at one time. It's that simple. If you want to have one, then have a public hearing.

Is there any other discussion to come before the body?

Mr. Pollock:

On New Business. I wanted to bring something to the light of everybody on Council because I've been hearing about it for quite some time now.

I think a little history is important. In 1978, while I was a law student at the University of Pittsburgh and had a minimal income, I applied for a loan for my house. I used the Urban Redevelopment Authority Home Improvement Loan Program. This was in 1978, as I said. I used this program because this program is used only for people who qualify by income, and only for people who have building and housing code violations. At the time, I had a leaky roof; water was coming in all through my house, and I did not have the money to get a new roof. I received the loan from the Urban Redevelopment Authority under this program and I repaid the loan not only timely, but ahead of time.

I bring this up because there are certain members of this Council, in fact, I would say the seedier part of this Council, indeed, the criminal element of this Council, who have alleged something untoward or improper —

The Chair, Pro tem:

Mr. Pollock, I'm going to have to

call you out of order. It's a rule of this Council that there be no derogatory remarks or insinuations made of the type of nature that you have just indicated now. If you continue along those same lines, I will rule you out of order, Mr. Pollock. I appreciate what you're trying to tell Council; I think you an attorney and I appreciate what you're trying to tell the Council, but when you mentioned things that are unfounded, and you being an attorney out of a court of law, these things will be settled in a court of law. This Council is not a body for that type of discussion.

Mr. Pollock:

My purpose for bringing this up at this time is to get it out in the open instead of wallowing in the sewer where it has been since I got on Council. There is no relation between my loan in 1978 when I was a law student and my applying for petition to run for City Council in 1985. And those who have tried to link them in some way have serious problems and now that I got it out it will possibly eliminate the undercurrent of discussion that I've heard.

The Chair, Pro tem:

Mr. Pollock, I have to agree with you on that. I knew you during this period of time and I think what you did was truly under the law at that time. You were not a Councilman, you weren't using any governmental — You had no decision making in the governmental process. You used it, the loan was there, you used that loan for whatever purpose it was so designated for apparently. Was the work done?

Mr. Pollock:

Yes.

The Chair, Pro tem:

The work was done. Did you pay --

Mr. Pollock:

I paid it back ahead of time.

The Chair, Pro tem:

Then that should be the end of it.

Michelle Madoff:

Same subject. I'm glad that Mr. Pollock brought that to light because he is right. People have a tendency, when they want to do somebody in, to spread innuendoes or to ask questions that are absolutely appalling like the one that happened to me the other day, did I use Mistick and not pay them. I can give you my \$60,000 in checks that were used to the contractors, not only Mistick but others, for the work that was done in rehabing my place. But the innuendo was absolutely appalling to me.

The Chair, Pro tem:

Again I say, Michelle, this is not the body to discuss personal issues.

Michelle Madoff:

I don't think it's a personal issue. I think he's saying he's been accused of something and he's not guilty and he's putting it on the record and I think it belongs there.

The Chair, Pro tem:

There's a court of law. To my knowledge, that has never been discussed here and should not be discussed here. This is a Council body forum.

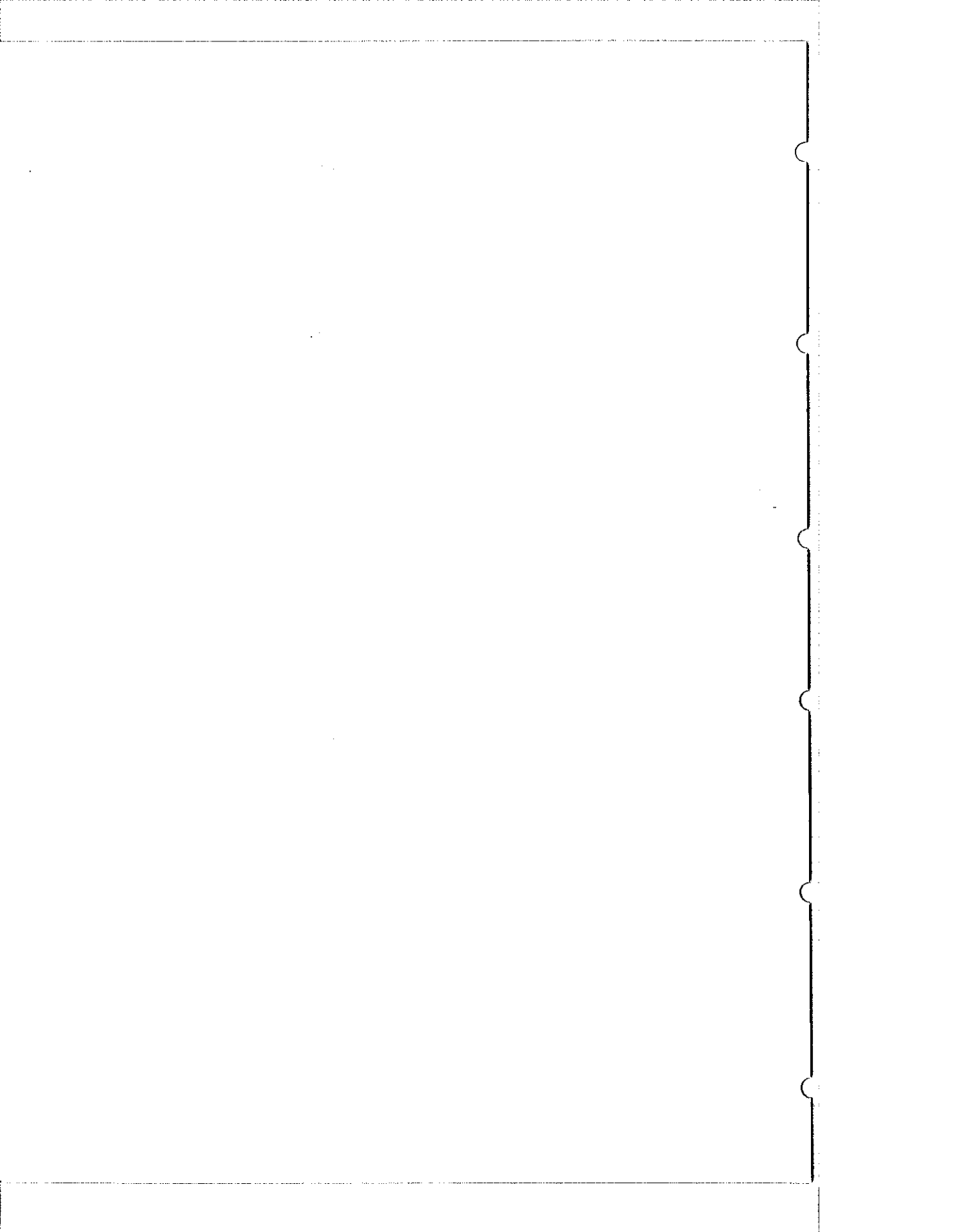
Mr. Grabowski moved to excuse Mr. Woods for absence from the meeting.

Mrs. Masloff seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Wagner**

Council adjourned.



Municipal Record

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Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, October 6, 1986

PRESENT:

Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Givens
Mr. O'Malley	(Pres't Pro tem)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair, Pro tem:

I'd like to start the meeting off by indicating that the Mayor has made a certain release on the relieving of Mr. John Norton. The Mayor has relieved at this time John Norton and his responsibilities as the Chief of the Public Safety Department. There's a letter coming over to that effect. According

to the Home Rule Charter, Section 210, the Mayor is required to send a letter over to Council stating any director being relieved from his position and the reason for that.

If any of you have received the press release, you have noted that the Mayor's effective date on that will be the 7th of October, which will be tomorrow. So, in effect, we'll receive it sometime this afternoon but the effective date will not be until the 7th of October.

I don't know if any of us should make any comments on that. I think there's ongoing investigations, etc. It's a sad affair when it happens in the City but it's something that happens and hopefully it will be resolved as quickly as possible.

Michelle Madoff:

I'd like to make a comment.

The Chair, Pro tem:

I'll ask that no comments be made.

Michelle Madoff:

I'd like to make a comment.

The Chair, Pro tem:

I will then rule you out of order.

Michelle Madoff:

It's not about Mr. Norton; it's about

the situation in general. It has nothing to do with the investigation.

The Chair, Pro tem:

No, we have a position for that when we come down to the Reports and Committees and any other stuff. I'd like to just move on. I wanted to inform all Councilmembers in case one of you might not have been informed prior to coming into Council today that that was the case.

PRESENTATIONS

Michelle Madoff:

Could I please have Jean Entwistle, Susan Hill, Linda Ortenzo and Susie Chesney please come forward.

Michelle Madoff presents

No. 1560 WHEREAS, the YWCA/Y*NET has continually promoted the professional and personal development of women in Pittsburgh; and

WHEREAS, this beneficial organization has sponsored a Career Strategies Conference and Annual Networking Luncheon in its efforts to expand women's unique and individual talents to the area workforce; and

WHEREAS, this organization has brought together many area professionals of diverse backgrounds and careers who have offered motivational techniques, years of expertise and creative solutions to career challenges in order to focus attention on the skills and confidence needed to establish and achieve personal and professional goals;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Members of the Council of the City of

Pittsburgh do hereby commend the YWCA/Y*NET upon its many contributions to our City as we proclaim October 10-17, 1986 "YWCA Career Strategies Week" in the City of Pittsburgh and we urge its participants to continue to strive for personal and professional success.

Michelle Madoff:

And to get equal pay with men. That is not in here but I thought I would add it.

Michelle Madoff moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Michelle Madoff:

You know, I was ad libbing but I was not doing that jokingly; I was doing it in all seriousness. Women get paid, what is it, 46 cents on the dollar to men and they do need confidence to get back in the workforce because they've been shot down so many times and I hope that Jeanie, you might say something.

Ms. Entwistle:

Thank you, Michelle. On behalf of the YWCA of Greater Pittsburgh I would like to thank Michelle and City Council for this resolution. I wasn't prepared to address the issue that Michelle brought up but I certainly will show my boss about more pay and see if that does me any good.

The YWCA three years ago made a major commitment to professional women in Pittsburgh by establishing an entire department, Professional Development. Within that department there is a wide range of activities,

everything from career counseling to career testing to the kind of program that brought us here today, and that is a conference and networking luncheon which will provide skills that are not taught in school and that are learned on the job and it's an effort to elevate those skills and that particular information that we all need, internal politics, stress management, equal pay for equal work. All of those will be part of the week-long activities at the YWCA.

I thank you all from the Y.

Michelle Madoff:

Can we invite the men to the stress management?

Ms. Entwistle:

The men are invited to all of our programs. Although it's the YWCA and our major goal and thrust is the development of women, we do have male participants. The network and luncheon is about 40 percent male. So, we invite you all to join us and I happen to have brochures if anyone is interested.

Mr. Pollock and Mrs. Masloff present

No. 1561 WHEREAS, on October 11th and 12th, 1986, President Ronald Reagan and General Communist Party Secretary Mikhail Gorbachev will be meeting in Iceland; and

WHEREAS, a clear test of trust between two nations on matters of security and arms control is credibility on issues of human rights and the humane provisions of the Helsinki Accords, signed by both countries; and

WHEREAS, less than 100 Soviet Jews are allowed to leave the Soviet Union each month to emigrate to Israel while several hundred thousand who wish

to leave to rejoin their families cannot; and

WHEREAS, during the past two years, young Soviet Jewish children have been arrested for no other reason than having a desire to speak and teach the Hebrew language; and

WHEREAS, Americans would view the Soviet Union as desiring peaceful, cooperative relations by permitting Jews to leave and be reunited with their families, and by allowing freedom of religious practices in the Soviet Union to all those who wish them;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh urge party leader Mikhail Gorbachev to demonstrate easing of friction between our two nations by issuing emigration visas to the thousands who have applied to leave, in particular, to Soviet Jewish Prisoners of Conscience, and by permitting the freedom of expression of Jewish tradition and religious rites in the USSR.

Mr. Pollock moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Pollock:

Sophie and I were the co-sponsors of this resolution because both she and I were in the Soviet Union to visit with Soviet Jews who are unable to leave the country and their lives are totally indescribable. The tribulations they are forced to endure, the persecution and prosecution that they are subjected to, it's as crucial as can be to get these people out of the Soviet Union.

Before calling on our two guests, Lewis Borman from the Community Relations Council of the United Jewish Federal and Freddy Shechter of the New Shaliah of Pittsburgh, I'd like to see if Sophie wants to say a few words.

Mrs. Masloff:

No, thank you but I'd like them to say a few words.

Mr. Borman:

On behalf of the Pittsburgh Jewish Community, on behalf of the Pittsburgh Conference for Soviet Jewery, on behalf of all of those who care about human rights for Soviet Jews and for others who are oppressed in the Soviet Union, I wanted to thank Council for taking the lead in making such a forthright statement.

It's one of these issues where I wish that we wouldn't have to come back year after year and urge our President to be forthright about but I believe we're on the right track and I believe that the forthcoming non-summit summit may shed some light on the future and certainly the future of the lives of Soviet Jews.

The lives of Soviet Jews who have been in refusal for 10, 15 or maybe even 20 years, they depend on their names being in the public light and they depend on folks like yourselves being so forthright, so active, and being a link in the human chain on this very human issue.

Many, many thanks for all of us.

Michelle Madoff:

Mr. President, I think it would be appropriate, Mr. Pollock, that your resolution be forwarded to the President

of the United States, attention to his Administrative Assistant, so that it gets there and doesn't go in the circular file and somehow the message is related that the City of Pittsburgh Council does indeed pass this unanimously.

Mr. Pollock:

We're going to send it directly to Gorbachev who has greater control over accomplishing something.

Michelle Madoff:

Well, but I think it would be the will of the people —

Mr. Pollock:

Right, and the President.

Mr. Givens:

I'd also like to make a comment and thank the two Councilpeople for making this resolution and again making all the people in the City of Pittsburgh and this Council aware of what is happening to your particular group and knowing also that it's happening to other religious groups in the U.S.S.R. and all of us should prevail.

I thank you very much for coming down.

Mr. Pollock:

Would Mark Lance and his friend please come forward.

Mr. Pollock presents

No. 1562 WHEREAS, nearly forty years after apartheid was codified into law, the white minority government of South Africa continues to forcibly relocate tens of thousands of blacks onto worthless and remote parcels of land;

and,

WHEREAS, the white minority government has constitutionally enshrined racism leaving twenty-two million South African blacks voteless, landless and without human rights; and,

WHEREAS, government terror escalates daily with new measures aimed at censoring local and international media correspondents and the free press; and,

WHEREAS, the legislative sense of both houses of the Congress, the international community, numerous U.S. corporations, the Commonwealth of Pennsylvania, and the City of Pittsburgh is to support various divestiture efforts aimed at isolating the white minority government of South Africa in an attempt to hasten black freedom and independence within a democratic framework; and,

WHEREAS, a coalition of academic and student groups has formed the Pitt Divestment Coalition and is sponsoring a mass rally at 12 noon on Wednesday, October 8 on the University of Pittsburgh campus in an effort to convince the Pitt Board of Trustees to pass a resolution to divest any and all investments held by the University within twelve months of the passage of the resolution; and,

WHEREAS, the Honorable K. Leroy Irvis will be introducing such a resolution as a Member of the Board of Trustees;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh declares Wednesday, October 8, 1986 as PITT DIVESTMENT DAY in the City of Pittsburgh;

AND, BE IT FURTHER RESOLVED that the Council urges the Board of

Trustees of the University of Pittsburgh to swiftly and forthrightly pass the divestment resolution now before them.

Mr. Pollock moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Lance:

My name is Mark Lance. I'm a graduate student in Philosophy at the University of Pittsburgh; I represent Students for Free South Africa which is a Pitt organization and the Pitt Divestment Coalition which is a coalition of churches, labor organizations, university and academic organizations and groups throughout the City of Pittsburgh.

We've been involved for several years now in trying to urge the University of Pittsburgh to remove its holdings in companies doing business in South Africa and we've been met with opposition, steadfast opposition, throughout this effort. So, we have decided to have a large rally at the University of Pittsburgh. This rally will be taking place Wednesday at 12:00 noon in front of the Student Union at the University of Pittsburgh.

We want to thank City Council for adding their voice to the many organizations throughout this City who have supported this and hopefully we can urge the Board of Trustees to join us.

Friend:

I am a graduate student in International Affairs at the University of Pittsburgh and I'd like to thank City Council for adopting the resolution.

I'd also like to point out that at the last Board of Trustees meeting, University of Pittsburgh President, Wesley Posvar, pointed out that in his opinion it was up to the Federal Government to take the first step on an issue such as this. Therefore, in light of the vote last week to apply sanctions on South Africa, I'd just like to point out the fact that he has said that once they've done something, then they'll take the next move. So, we'd like to see what they'll do at the next Board of Trustees meeting.

Thank you.

Michelle Madoff:

Did anyone see 20/20 this week? They did, I believe it was Rhodesia but don't hold me to the country because I'm not sure, showing how integration is working, how everybody is getting along, and that the Blacks hold no malice to the Whites. Was that it? Was it Zimbabwe? I'm not sure where it was. It showed that the Blacks are harboring no anger towards the Whites and they're really living peacefully and doing business together and everything is like it should be in this country. And I say as it should be, not the way it necessarily is. It might be a good film if you can get a clip from it to perhaps show to people who don't understand that it can work.

The Chair, Pro tem:

Thank you very much.

Mr. Perry:

Is there anyone here to accept this resolution on Handicapped Week?

The Chair, Pro tem:

Do you want to hold it until --

Mr. Wagner:

No, go ahead and read it and I'll present it later.

Mr. Wagner presents

No. 1563 WHEREAS, this week across the United States, employers, governments, communities, families, and concerned individuals will be observing National Employ the Handicapped Week; and,

WHEREAS, the intent of this recognition is to express appreciation to the businesses and employers who have hired the handicapped; and,

WHEREAS, the hope of these national activities is that more employers will be encouraged to hire workers on the basis of their abilities and not their disabilities; and,

WHEREAS, the aim of this compassionate campaign is to salute the achievements of people with disabilities who are contributing to their communities and to society through their jobs;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby proclaim the week of October 5-11, 1986 as "Employ the Handicapped Week" in the City of Pittsburgh.

Mr. Wagner moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Wagner:

Mr. President and members of Council, I'd just like to say that I'll

present this resolution sometime this week to the handicapped. It's very appropriate and this is a week dedicated to them and I thank you for your support on the resolution.

Michelle Madoff:

Mr. President, you may recall that during this idiotic debate on the North Shore where handicapped people are here with reference to the Mistick situation and I broke the tie, I had stated several times, and I've asked Mr. Perry to please convene, I'm now officially asking him because I had asked the handicapped people and I hope Mr. Wagner will help me, convene a meeting of the representatives and the Umbrella Group of the handicapped people that we are never again confronted with a zoning issue that becomes a handicapped issue but we address the handicapped issue as separate and apart. It's bad enough being handicapped but not to have the help they need is unconscionable. I know this Council cares and if we will convene a meeting of the leadership of the handicapped organization, I believe there's an Umbrella Group, one of the women was here that day, I'm not sure of the groups but if Mr. Wagner would help me, I would like to perhaps set up a meeting with the President or President Pro tem in our board room and start to get some feeling for what is needed and start to address some of the problems as opposed to reacting when something happens. We get used and no matter what we do we look like the bad guys. I know that being on Council one of the services we offer is scapegoating but —

The Chair, Pro tem:

Mike, I would so direct the Chief Clerk to find out the various organizations for the handicapped. Try to get all their names together and those Councilpeople who are interested and

want to, and I think all of us are in that category, would like to bring them together and find out for themselves what are some of their major problems. I think all of us know what they are but to hear it from them, I think, would be beneficial.

Mr. Grabowski:

Mr. President, I think everything we just said was appropriate except the fact that it should have been taken up during new business, not during the discussion on Councilman Wagner's resolution.

The Chair, Pro tem:

I appreciate that but I think the two of them do certainly dovetail together and, when it comes down to the handicapped people, we want to recognize them for being in the working field, and anyone who overcomes that handicap and is a productive worker, they are one hell of a productive worker. They are the best. I know that from personal experience.

Michelle Madoff:

Mr. President, the reason I brought it up at this time, and I think it does dovetail and is appropriate, is that Mr. Wagner has said he was going to introduce the bill and he could help us by making the contact. Mr. Wagner is going to be meeting with them so I'm asking it as a special favor to this Council because he introduced the bill.

Mr. Grabowski for Mr. DePasquale presented

No. 1534 Resolution providing for the issuance of a warrant in favor of Trumbull Corporation (Perry J. Dick, President) in the amount of \$1,634.65 in payment of Extra Work, being in addition

to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street, Phase I, payable from the Grant Street Trust Fund. (PRIOR APPROVAL GRANTED)

Also,

No. 1535 Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company (Peter Nicholson, President) in the amount of \$1,650.00 in payment of Extra Work performed in connection with the Emergency Contract for the Reconstruction of Goettman Street Wall, payable from Code Account EC 86-30. (PRIOR APPROVAL GRANTED)

Also,

No. 1536 Resolution providing for the issuance of a warrant in favor of Ace Demolition, Inc. in the amount of \$23,100.00 in payment of the partial demolition of a Three-Story Masonry Building located at 617 Second Avenue, 1st Ward, City of Pittsburgh, payable from Code Account EC 86-30. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Mr. Grabowski for Mr. Givens presented

No. 1537 Resolution providing for the issuance of a warrant in favor of Anderson Equipment Company in the amount of \$10,265.00 for the purchase of a Dialgrade Laser with related attachments to be used for sewer alignment and grade, chargeable to and payable from Code Account PW 86-12, Capital Construction Division. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 1538 An Ordinance amending Title Four - Public Places and Property, Article I - Streets and Sidewalks, Chapter 419 - Regulated Activities, Section 419.08 - Business establishments to keep sidewalks clean, by limiting the storage of rubbish material for collection purposes to an approved receptacle for one hour.

Which was read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1539 Communication from Robert Lurcott, Director, Department of City Planning, requesting authorization for James Brown to participate in the American Planning Association's Sixth Annual Zoning Institute concerning zoning and land-use control topics and issues, on November 9-11, 1986, at a cost not to exceed \$1,000.00, payable from Code Account No. 1103, Miscellaneous Services.

Which was read and referred to the Committee on Planning, Housing and Development.

Mrs. Masloff presented

No. 1540 Resolution authorizing the issuance of a warrant in favor of Donna Lee Walker in the amount of \$1,275.00 in payment for nursing services for the Therapeutic Recreation Camp Joy Programs, chargeable to and payable from Code Account Special Parks Program Trust Fund, SPPTF, in the Department of Parks and Recreation.

Which was read and referred to the Committee on Finance.

Also,

No. 1541 Resolution amending Resolution No. 418, approved June 2, 1983 and effective June 10, 1983, so as to authorize and require that Robert Morris College use any grant funds remaining from the Oktoberfest Program for payment of any operating costs and expenses associated with the Pittsburgh Folk Festival. The Oktoberfest Program, administered by Robert Morris College, is no longer in existence. The College would like to keep the balance of funds remaining in the Oktoberfest account (approximately \$7,000.00), for the purpose of the Pittsburgh Folk Festival.

Which was read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 1542 Resolution authorizing the transfer of \$27,088.00 from Code Account 41, Real Estate Refunds, to the City of Pittsburgh Retirees Pension Fund Trust Fund (RPF TF). This transfer of funds restores interest earnings that the Retirees Pension Fund Trust Fund would have earned had the funds, which Council allocated in the 1986 Budget, been transferred by March 1 of this year.

Also,

No. 1543 Resolution amending Resolution No. 465, Item H, approved June 3, 1986, which authorized the sale of property in the 17th Ward, being 2 vacant lots, located at 1030 Warrington Avenue and #1 Mt. Oliver, designated as Block 14-D, Lots 74 and 76, to John E. MacDonald, for the sum of \$1,000.00. The reason for the above Amendment is to correct the lot sizes. The correct dimensions are as follows: 1030 Warrington - 14-D-74, 25.25 X 91.33 X 5; #1 Mt. Oliver - 14-D-76, 33.38 X 46 X 6. Also "Mt. Oliver" is to be added to

the name of the former owner in parcel 14-D-76. Resolution and Proposal should read: Acquired from First Federal Savings & Loan Assn. Mt. Oliver.

Also,

No. 1544 Resolution providing for the filing of a petition for the sale of certain property or properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 1545 Communication from Ronald C. Schmeiser, Director, Department of Finance, requesting authorization for Stephen Schillo to attend a conference on Municipal Finance After Tax Reform in Arlington, Virginia on November 6-7, 1986, at a cost not to exceed \$1,200.00, payable from Code Account No. 1063.

Also,

No. 1546 Communication from Raymond E. Johnson, Jr., requesting authorization for Lois Brown to attend the "Designing & Managing Live Training Seminar" in Atlanta, Georgia, October 2-3, 1986, at a cost not to exceed \$1,500.00, payable from Code Account No. 1048, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Also,

No. 1547 Communication from Raymond E. Johnson, Jr., Deputy Controller, requesting authorization for himself to attend the seminar on Government GAAP Update, in Orlando, Florida, November 13-14, 1986, at a cost not to exceed \$950.00, payable from Code Account No. 1048, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Mr. Wagner presented

No. 1548 Resolution transferring the sum of \$30,000.00 from Code Account 41, Refunds - Real Estate Tax, Department of Finance, to Code Account 1443-6, Police Ingrade Pay, Bureau of Police, Department of Public Safety. This transfer is necessary to cover Police Ingrade payroll for the remainder of 1986.

Which was read and referred to the Committee on Finance.

The Chair (Pro tem) presented

No. 1549 Communication from Ronald C. Schmeiser, Director, Department of Finance, submitting a report of deposits and market value of collateral security pledged by City Depositories to secure same as of August 31, 1986.

Also,

No. 1550 Communication from Thomas Flaherty, City Controller, submitting the Fiscal Audit Report of Southwestern Pennsylvania Regional Planning Commission for the year ending June 30, 1985.

Also,

No. 1551 Communication from Thomas Flaherty, City Controller, submitting the Fiscal Audit report of Magic Carpet Transportation for the Handicapped as of December 31, 1985.

Also,

No. 1552 Communication from Thomas Flaherty, City Controller, submitting the Fiscal Audit Report of

the Municipal Pension Fund as of December 31, 1985 and 1984.

Also,

No. 1553 Petition from the residents of the City of Pittsburgh, requesting a public hearing concerning the use of skateboards and ramps on City of Pittsburgh neighborhood streets, request that the pertinent governmental and private sector personnel attend the hearing, and that the hearing be cable cast.

Which were severally read, received and filed.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1554

Report of the Committee on Finance for October 1, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1118

A Resolution entitled, "Resolution authorizing the execution of a long term lease between the City of Pittsburgh and the Public Parking Authority of the City of Pittsburgh of the Monongahela Wharf and the Allegheny River Wharf."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bill?

And on the question, "Shall the bill

pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Givens
Mr. O'Malley	(Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1460

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Thomas A. Mekis and Sons, Inc. (Kenneth L. Wolf, Vice President) in the amount of \$995.09 in payment of Extra Work, being in addition to the original contract price of \$3,414,646.20 on Controller's Contract No. 27595, furnished for the benefit of the City in connection with the Reconstruction of the Baum Boulevard Bridge; and providing for the payment thereof."

Which was read.

Michelle Madoff:

On Bill 1460, the extra work on the Baum Boulevard Bridge, may I please request from Construction and Engineering, the total cost of the bill and the tab sheet. I've heard that there is some problem with that bridge; they came upon extra work after that we should have known up front. I want the engineer's report and I want all information on Bill 1460, A.S.A.P, as soon as possible.

Also,

Bill No. 1461

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of NICET in the amount of \$1,500.00 covering examination fees for 25 applicants taking the second exam for Level II certification in the National Institute for Certification in Engineering Technologies; and providing for the payment thereof."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Givens
Mr. O'Malley	(Pres't Pro tem)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1462

A Resolution entitled, "Resolution transferring the amount of \$5,000.00 from Code Account 1484, Supplies to Code Account 1482, Miscellaneous Services, both accounts within the Department of Engineering and Construction."

Which was read.

Michelle Madoff:

Mr. DePasquale is not here so could somebody tell me on Bill 1462 what the \$5000 is from? Would you know, Mr. O'Malley? Or would anybody know? It's not a significant dollar in a \$280 million budget but I'm curious. I've forgotten what it was for.

Mr. Perry:

Rental of equipment --

Michelle Madoff:

Okay, fine. I had forgotten. Thank you.

The Chair, Pro tem:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Givens
Mr. O'Malley	(Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1463

A Resolution entitled, "Resolution

providing for the issuance of a warrant in favor of Sanitary Systems Service, Inc. in the amount of One Thousand Six Hundred (\$1,600.00) Dollars for emergency repairs to the Brownhill Road Pump Station, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1470

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Volpe-Rogal, Inc. for payment of legal fees arising from a lawsuit filed while performing under its contract with the City to administer the Worker's Compensation Program."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Givens
Mr. O'Malley	(Pres't Pro tem)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1471

A Resolution entitled, "Resolution transferring \$35,000.00 from Code Account No. 1063, Index Code No. 106302, Miscellaneous Services, Department of Finance to Code Account No. 1066, Index Code No. 106609, Equipment, Department of Finance."

Which was read.

Also,

Bill No. 1473

A Resolution entitled, "Resolution authorizing the Director of Finance and the City Controller to establish the State Income Tax Withholding Trust Fund (SIWTF) to meet the requirements of forwarding to the Commonwealth of Pennsylvania, in a timely manner, those monies that the City of Pittsburgh withholds from its employees for the state tax and authorizing the transfer of \$300,000.00, from Code Account No. 41, Real Estate Tax Refunds, to establish this trust fund."

Which was read.

Also,

Bill No. 1474

A Resolution entitled, "Resolution amending and supplementing Resolution No. 829 of 1984 by expanding the scope of previously authorized professional services contract with Mellon Bank, N.A. to act as paying agent and registrar for certain outstanding City of Pittsburgh General Obligation Bonds at an annual cost not to exceed One Hundred and Fifteen Thousand Dollars (\$115,000.00) subject to annual appropriations and making such agreement chargeable to and payable from the Sinking Fund, Index Code 000208."

Which was read.

Also,

Bill No. 1475

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Givens
Mr. O'Malley	(Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1476

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Michelle Madoff:

On Bill 1476, there is a piece of property for sale, a two-story brick house on a lot 24 x 100 on 713 Southern Avenue, Mount Washington. The person who has requested to purchase that piece of property — The opening price, and I presume that is the value, minimum value on appraisal, that has been set by our real estate division of Lands and Buildings, now under the Finance Department, is at \$5000. The information I have is that it will go to bid and the price will probably be somewhere at \$10,000 or \$12,000 in final purchasing price.

I call it out to the attention of anybody listening. Here is a house that needs rehabed, it's only in fair condition but fair is better than cannibalized in horrible condition, that can be purchased for \$5000 or whatever the highest bid would be. If you don't know about it, again I repeat, it's 713 Southern Avenue, near Park Avenue; it's in Mount Washington. It's a wonderful opportunity for someone to purchase a facility to live in, and all you have to do is put up 10 percent of \$5000. Sometimes you can put nothing up as long as you show up in court.

Call Mike Perry, City Clerk, at 255-2138. He'll tell you how to get on the list and you can go and bid on that piece of property.

The Chair, Pro tem:

Well, I think Council has passed on that and unless there would be a motion to send the whole bill back --

Michelle Madoff:

No, I'm just letting the public know about it. I have no problem with it. That's not a sale; it's only that it's up for

sale.

The Chair, Pro tem:

I know there's wonderful opportunities out there and for people that are concerned about it and want to be involved, they can come down there to these tax sales when we have them on tax sales properties. You have to put your bid in and it goes to the highest bidder. So, come on down.

The Chair, Pro tem:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. O'Malley
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Givens
	(Pres't Pro tem)

AYES 6 NOES none

(MARK POLLOCK ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1484

A Resolution entitled, "Resolution transferring the sum of Two-Hundred and Twenty Thousand Dollars (\$220,000.00) from Code Account 41, Index Code (004101), Refunds - Real Estate Tax, Department of Finance to Code Account 1443-7, Index Code (144378) Police

Longevity, Bureau of Police, Department of Public Safety. This transfer is necessary to cover Longevity Benefits due Police Officers for the remainder of 1986."

Which was read.

Also,

Bill No. 1506

A Resolution entitled, "Resolution transferring the amount of One Thousand Three Hundred (\$1,300.00) Dollars from Code Account 1646, Repairs, Index Code 164608, to Code Account 1644, Supplies, Index Code 164400, both accounts within the Bureau of Operations, Traffic Division, Department of Public Works."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Givens
Mr. O'Malley	(Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 1555

Report of the Committee on Public Works for October 1, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1464

A Resolution entitled, "Resolution accepting the dedication of four (4) parcels of property from Allegheny General Hospital for public use, street improvements and other public purposes, certain property along Sandusky Street, Porterfield Street and James Street in the 22nd Ward, City of Pittsburgh."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Givens
Mr. O'Malley	(Pres't Pro tem)

AYES 7 N ES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Grabowski presented

Bill No. 1556

Report of the Committee on Planning, Housing and Development for October 1, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1479

A Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of properties in the City of Pittsburgh (URBAN HOMESTEADING REHABS)."

Which was read.

Also,

Bill No. 1480

A Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of properties in the City of Pittsburgh (SIDEYARD & PARKING)."

Which was read.

Also,

Bill No. 1481

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Mary Alice Humphries for

the sale of Block 23-F Lot 135 in the 25th Ward of the City of Pittsburgh (NEW CONSTRUCTION)."

Which was read.

Also,

Bill No. 1482

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Penallen Corporation for the sale of Disposition Parcel 6A-1 in the 28th Ward of the City of Pittsburgh in Redevelopment Area No. 24 (DISTRIBUTION CENTER)."

Which was read.

Mr. Wagner:

Mr. President and members of Council, I'm not certain I have a question. Bill No. 1482, is that the bill that we held last week for two weeks relating to personal property along Greenway Drive —

The Chair, Pro tem:

No, that was New Papers, Jack. It was presented as New Papers so that would not have been held.

Mr. Grabowski:

Jack, this one deals with United Parce.

Mr. Wagner:

Thank you.

Michelle Madoff:

You don't have a computer in your head either?

The Chair, Pro tem:

That's the 28th Ward in the City of Pittsburgh, that was that \$55 per square yard, United Parcel.

The Chair, Pro tem:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. O'Malley
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Givens
	(Pres't Pro tem)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff:

When Michelle Madoff isn't here, do you call my name? I notice you're not calling the names of the people who are not here. When I'm not here I send a note through my secretary to make sure that Council knows why I'm not present. Either I have a cold, I have a meeting, I have a dentist appointment, a doctor appointment, whatever reason. And I just wonder whether we're playing the ballgame differently, we're changing the rules.

Linda Johnson:

No, it's the same. I do the same for everybody.

Michelle Madoff:

Thank you but we've changed the system.

Michelle Madoff presented

Bill No. 1557

Report of the Committee on General Services for October 1, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1468

A Resolution entitled, "Resolution amending Resolution No. 1283 of 1985, entitled: 'Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program,' increasing a line item and adjusting the Summary Totals."

Which was read.

Also,

Bill No. 1469

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts for the furnishing and delivery of Motorized Fire Equipment for the Department of General Services, and for the payment thereof."

Which was read.

Michelle Madoff:

I'd like to move to have Bills 1468 and 1469 recommitted and I'd like to

explain why.

As you may recall, when these bills were read on Wednesday, I had asked that the Fire Chief be permitted to look at the plans with General Services with Mr. Jacoby. For some reason they have not been able to get together. It appears that Mr. Bernie Burns did get hold of some of the specs for the fire trucks and they have some serious questions about them. This morning I had a member of the paramedic service in my office on another unrelated matter and I asked him to please look at the fire trucks when they go out in place of the paramedics; it appears that not all of them have oxygen. I want to make sure that that is one of the issues that would be addressed. So, I'm asking that they be held for one week, recommitted.

Mr. Pollock seconded the motion.

Mr. Wagner:

Discussion. Mr. President Pro tem and members of Council, within the last week I suspect all of you have been lobbied by both the Fire Chief and from members of the Firefighters Local No. 1 in behalf of this legislation to support it and to vote on it today; to pass it by the Chief, and to hold it by the Firefighters. In talking with both sides, I think what has surfaced is that we need a committee within the Fire Bureau consisting of firefighters that are non-management people to have some input into the purchase of equipment, whatever the equipment may be. I have suggested that strongly to Chief Leahy and I am hoping that that takes place in the future.

In regard to this piece of legislation and holding the legislation, I indicated to Chief Leahy that I would vote to move forward on the legislation and I mentioned to the firefighters that I

would not be holding it, would not vote to hold it at this point in time due to the need to buy new equipment. And basically that's what this legislation is, the allocation of dollars to purchase the new equipment.

Therefore, I'm stating my reason why I'm not voting to hold it at this point in time but at the same time, I am making a request and will formally do it with a motion at the end of the Council meeting that a committee be established within the firefighters to assist and to have input in the review of equipment that is purchased that firefighters will ultimately use.

The Chair, Pro tem:

I have to agree with you, Jack. I hope not any place or any piece of equipment of major value within the City, that only one person would make a decision. Ultimately the Chief must make that decision and so recommend it to the Mayor and his staff. Hopefully he has gone through the various assistant chiefs and asked for their counseling. The Chief has to be the person to make that final determination but there have been some very serious questions that have been raised and I would hope that it would go back into Committee for the purpose of discussing those types of methods that you're mentioning right now in your committee on Public Safety that they should have if they haven't already had some type of committee to evaluate just not only in your department but all of the departments in the City where major purchases are being completed.

I do not know everything, I think Chief Leahy should come up before the Council if this goes back into Committee and explain his process to the Council. That way we'd all be informed of how they're going about buying this

equipment and is it the right type of equipment, etc.

Mr. O'Malley:

I've also talked to the firefighters and I'm going to vote to hold the legislation. Generally, I think that the people that use the equipment on a day to day basis certainly should have an input on what equipment is purchased. Certainly Bernie has the firefighters' best interest at heart and he indicated that holding the legislation for one week would not peril the safety of the firefighters. So, I'm going to vote to hold the legislation.

The Chair, Pro tem:

I am also in receipt of a petition from residents of the City of Pittsburgh, I'm sure some of them firemen, asking for a public hearing on this. Because it was only given to the Chief Clerk today, we cannot introduce it today. However, Wednesday I'd ask for a change of the rules that we could so introduce it by Wednesday. We've done that before and I hope it could be done again just for clarification to resolve this thing once and for all.

Michelle Madoff:

While Mr. Wagner points out this bill only the appropriations of dollars and not the type of equipment that would be purchased. I think that the wishes of this Council would be better recieved if we hold up on the funds for at least a week so that what we're saying is what I said initially, and that is that no piece of equipment should be bought for the City. I know of Public Works equipment where they bought the wrong vans. I know of Water Department equipment where the wrong piece of equipment was purchased because somebody didn't know, they're just ordering. We need a truck so

we buy a truck and they don't know if it's the right truck. Don't tell me to make it smaller because you made it --

The Chair, Pro tem:

No, I mean keep it into the frame of the motion that is before us.

Michelle Madoff:

I'm staying on the motion.

The points that were made by Mr. O'Malley and by others that we need a committee, and by yourself, Mr. Givens, that who knows better than the firefighters themselves as to what kind of equipment is a very valid one. I had said that on Wednesday and I'm glad to see that everybody saw fit to repeat what I said and to reinforce because the art of education is repetition. So, hopefully, between now and next week we will have, as I said earlier, a representative of the paramedic division because the fire trucks are sent when there is not a paramedic truck available. Also, it appears that there may be a design problem with one of the fire trucks and that between now and Wednesday, by holding up these dollars, there will be some action taken rapidly and that people won't avoid each other. The concept of a committee goes to the heart of who hires the fire chief. The fire chief is hired by the Mayor and we know from past history that whatever the Mayor and the Administration wants, that's what he gets. Sometimes, you know, there's an old saying, be careful of what you wish for because you might get it. It may be the wrong piece of equipment; you might find a fireman killed on the back of a truck. I think it's in everyone's best interest that we sit down, and I say we meaning representatives of departments getting equipment to explain what they really need and what's wrong with the

equipment they've had and work harmoniously together as opposed to being adversaries. And thank you for supporting what I've said.

The Chair, Pro tem:

Is there any further discussion on the motion to recommit?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. O'Malley
Michelle Madoff	Mr. Pollock
Mrs. Masloff	Mr. Givens
	(Pres't Pro tem)

AYES 6 NOES 1

(MR. WAGNER OPPOSED)

And a majority of the votes of Council being in the affirmative, the motion was approved.

Mrs. Masloff presented

Bill No. 1558

Report of the Committee on Parks and Recreation for October 1, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1507

A Resolution entitled, "Resolution amending Resolution No. 58, effective February 12, 1986 entitled: 'Providing

for an Agreement or Agreements with the Bloomfield Citizen's Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1986, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account No. 1838, Recreational Activities, Miscellaneous Services, in the Department of Parks and Recreation,' by changing the service provider from the Bloomfield Citizen's Council to The Ursuline Center, Inc."

—(SPONSORED BY MR. GIVENS)

Which was read.

Mrs. Masloff:

In accordance with Section 322 of the Home Rule Charter, "Publication Effective Date of Legislation", I move that the effective date on Bill No. 1507 shall be the date on which it is signed by the Mayor.

Michelle Madoff seconded the motion.

Which motion prevailed.

The Chair, Pro tem:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Givens
Mr. O'Malley	(Pres't Pro tem)

AYES 7 N ES none

And a majority of the votes of Council being in the affirmative, the bill

passed finally.

Mr. DePasquale presented

Bill No. 1559

Report of the Committee on Engineering and Construction for October 1, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1497

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Repairs to Overlooks on Grandview Avenue; and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

On Bill 1497, obviously we have to spend the money to maintain our overlooks because they are perhaps the major tourist attraction of this City. It's our Niagara Falls and it would be appropriate that somebody get on with fixing McArdle Roadway which is the only official road up to the overlooks. They've been closed down partially or totally for seven years and never completed which is a disgrace.

I would like to see that we follow through, Mike, hold my piece of legislation which has failed in this Council. I have an idea the time has come that we solicit industry to maintain in the future what we repair in the present on the plaques with their names saying "maintained by" whatever the company is, and we still maintain the

name of the overlook in honor of the person they were named after. As a matter of fact, their name should be up there, highly visible, whoever the overlooks were named after and I believe they were originally Councilmembers. So, the name of the Councilmember would be there and the person who is maintaining it.

Also,

Bill No. 1295

A Resolution entitled, "Resolution providing for a Contract or Contracts or use of existing Contracts, for the Rehabilitation and Improvements to the Thomas Boulevard and McPherson Boulevard Traffic Islands; and providing for the payment of the cost thereof."

Which was read.

The Chair, Pro tem:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Givens
Mr. O'Malley	(Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mrs. Masloff:

Mr. President, the National Association of Townwatch, which is a clearing house for crime watch groups across the country, sponsored National Night Out on August 12, 1986. Four thousand cities participated and the award was made by a national panel of judges and I'm pleased to announce that Pittsburgh came in No. 1. The other four cities were Dade County, second; Baltimore, third; New York City, fourth; and Kansas City, fifth. A formal presentation of this award will take place on October 16th at the Community Crime Prevention Awards Reception. But I think it's a feather in our hat that out of four thousand cities Pittsburgh came in first.

Michelle Madoff:

I have two items. One very quick item we can get out of the way quickly is that next Monday is the most religious day of the year for members of the Jewish community and there are three members here on Council. There is no way that we will be in Council on Monday so you're going to have to change agendas from Monday to Tuesday and Tuesday is a very, very booked up day now. So, I would appreciate as soon as possible having the schedule.

The Chair, Pro tem:

I saw that on the schedule, I have discussed it with the Chief Clerk. We have a very heavy schedule, if you notice, Tuesday and Wednesday. However, I feel that if we can limit our discussions on our normal executive session on Tuesday, that Monday session be on the following Tuesday then, at 9:30. That's about the only time that I feel we can move it in and I'll put that in

the form of a motion to the body if you so want it.

Michelle Madoff:

May I suggest that we take one of the hearings and move it out on Tuesday? We'll be here until 7:00 at night.

The Chair:

Well, I've made that decision. If we have it at 9:30 in the morning we can have the morning hearing and the afternoon hearing without one running into the other. I'd ask that all members hold their long discussions very briefly and we can have it at 9:30 and accommodate this most holy religious holiday of the people in the Jewish faith. I need a motion to --

Michelle Madoff:

I move to move the regular business and final vote on Monday to Tuesday at 9:30.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Wagner:

On the same subject, I believe we have a public hearing scheduled for 11:00 that day also and then we have our legislative meeting at 2:00. Does that mean that the public hearing at 11:00 will be changed to Tuesday at 11:00?

Mr. Perry:

Monday there's a zoning hearing on Monday at 11:00. That will be cancelled. Tuesday we have a URA hearing, the North Shore Proposal and that's at 10:30. At 2:00 we have an ordinance on establishing labor

commission. So, our regular meeting will be at 9:30 on Tuesday.

Mr. Wagner:

And the public hearing will be rescheduled to another day? The Monday public hearing?

Mr. Perry:

The Monday public hearing will be rescheduled for another day.

Mr. Wagner:

And that public hearing pertains to what?

Mr. Perry:

That's a zoning change up on Brighton Road in the 27 Ward, I believe.

The Chair, Pro tem:

And there's no opposition.

Mr. Wagner:

And we'll let all participants know about that.

The Chair, Pro tem:

We need five Councilmembers and before you leave here today, if you cannot be there for that Tuesday meeting, in fact, we'll have three of our members absent, please notify the Chief Clerk so we will know that there will be five members present for that Monday hearing.

Mr. Perry:

It's up to Council, if you want to change it. If we can get five members we'll have it.

The Chair, Pro tem:

There's no opposition to the bill and it had been scheduled. In talking to the Chief Clerk, we'd have to reschedule and it would be another several weeks for all these people to be notified. We do not have enough time to reschedule it for that week or even sometime later that day. So, trying to reschedule all of that, the meeting we can hold over but I think that public hearing I'd like to continue on. It's my decision and one that I feel -- Of course, this schedule was set prior to my taking over as President Pro tem and I'd just like to hold on to that particular schedule. I don't think it's going to inconvenience anybody. In fact, for the record, we'll mark everybody present for the mere reason that it is a very serious religious holiday and I don't think those people that would be absent that day should be so marked absent.

Michelle Madoff:

You may mark me absent. If I'm absent, I'm absent. You don't mark me present when I'm absent.

The Chair, Pro tem:

I might be absent myself.

Mr. Wagner:

Point of clarification. So far we're scheduled for a legislative meeting at 9:30 on Tuesday, a 10:30 public hearing and a 2:00 public hearing.

Mr. President, if I may. I'd like to make a motion to reschedule that public hearing for Monday on Tuesday also to make sure that we have a quorum.

Mr. Pollock seconded the motion.

The Chair, Pro tem:

I don't think there's any place to get it in other than as it's scheduled. It's scheduled for Monday, Jack. In order to move it to another day, even after that particular date --

Mr. O'Malley:

Point of order. I am going to request that the hearing that I have scheduled for 2:00 on the Business and Labor Commission be cancelled and be scheduled further into the future. So that 2:00 will be open.

The Chair, Pro tem:

Okay, Mike, we still can't advertise in time enough -- The only meeting we have to give direction to right now is the Monday's normal executive hearing of Council. That has to be voted upon. The other ones can be changed during the week here but we have to send out timely notice to cancel them and to reschedule them again. I would like not to do that if at all possible. Hopefully when these requests come in and I think it should be, and someone should make it a permanent resolution of this Council, that when there is a major religious holiday so identify those holidays. Make it as a motion of Council that when it falls on major committee sessions or executive sessions of Council, in fact, I'll put it in myself that this thing will not happen again in the future.

Michelle Madoff:

I think it was an oversight that nobody planned on. I think if Mr. Perry had seen it he would have scheduled it and notified us. It was just a mistake that nobody planned on. It never happened before.

The Chair, Pro tem:

Okay, then Chief Clerk, I'll ask you then to call the President because he'll be back here next week as to what his desires are, Mike, and so inform the other members of Council as to how these hearings are going to be presented next week.

Michelle Madoff:

On another matter, Mr. President. I would like, for the record, to read the press release that was released by the Mayor so it is a matter of permanent record in our Monday minutes with reference to Mr. Norton and I have a comment to make, not on the investigation because that would be inappropriate, but on future hirings of a director. The memo reads, for people who may be listening:

"October 6, 1986

Statement by Mayor Richard S. Caliguiri

This morning, I notified John Norton that I am relieving him of his duties as Director of the Department of Public Safety, effective October 7, 1986. I have designated Deputy Director Glenn Cannon to serve as Acting Director until further notice.

Due to the stress of the last several days, the Director is today under medical care. He will be eligible to receive payment for unused accumulated personal days and to file a claim for the sick leave benefit provided to all City employees which includes a partial salary replacement while unable to work.

Director Norton and I had concluded last week that continuing focus on him, rather than on the public safety program, jeopardized his effectiveness making his departure from City government inevitable. Before

asking for his resignation, however, I wanted to give him an opportunity to locate another position.

As the controversy with the IACP unfolded over the last several days, it became apparent to me that prolonging this matter was not in anyone's interest and that Director Norton needed to be away from his duties, both to pursue his next position as well as to defend himself from various charges.

John Norton made a contribution to the modernization of our public safety program and for that he has my gratitude and that of the citizens of Pittsburgh.

Unfortunately, his handling of the relationship with his professional organization along with the accompanying publicity on it and other matters, have rendered his leadership ineffective at a time when it is most needed.

While it is not possible to avoid criticism when you occupy an important public post, the Director of Public Safety must maintain the confidence of the citizens at all times. Unfortunately, Director Norton's judgment has been called into question by the public and the media, thereby, shifting attention to him and away from the goals of the program.

On a personal level, I wish John and his family well. The action I have taken is not an easy one personally nor does it come without consideration for them.

My primary responsibility is to the citizens of Pittsburgh and, in this case, to give them effective, stable direction of the public safety program.

This change should not overshadow the progress we have made in our effort to provide well-managed, well-trained and well-equipped public safety forces.

From the initiation of "first responder" to save more lives, to the establishment of an all service academy, to the investment of millions in new modern automotive, safety and communications equipment, to the upgrading and certifying of building inspectors to the development of an effective river rescue program -- these achievements are only possible, and affordable, due to the coordination of the uniformed forces and the hard work of the dedicated men and women who make up the management team and the ranks.

But the job is not finished.

I have every intention of carrying out the commitment I made to give Pittsburgh the best public safety services possible. If difficult decisions such as the one I am making today are necessary, then I will make them."

Michelle Madoff:

And now I think it is appropriate to make a comment. When this body was called upon to vote for Mr. Norton, many of us, including myself, were very distressed that a decision was made on what procedure was going to take place for the hiring of a safety director and his duties without sitting down with the F.O.P. leadership, the leadership of the fire union, and I do believe they did sit down with the paramedics because Mr. Cannon was the choice of the Mayor initially.

We have a problem today holding fire trucks. Why? Because fire trucks are being purchased without input from the people who use them. We create bad will and I again appeal to the Administration. Let us not be in an adversary role, let us not have this fear with the public. Let the Administration please speak to Councilmembers, keep us informed so we don't read about it in the

media, let us know who you're considering before a choice is made and the reasons why, and sit down with the leadership, not the fire chief who is hired by the Mayor, not the paramedic chief who is hired by the Mayor, not anyone who is hired by the Mayor, but a representative for the rank and file who have been of great service to this community; dedicated their lives, put their lives on the line all the time. They know what's best, within certain parameters.

Let's not have labor negotiations based on getting money for proper equipment, meaning suitable uniforms. Firefighters need protection and that should not be an item that is negotiated. It's something that this Council will unanimously vote for and I speak for my colleagues on that. If a firefighter need oxygen and he's going to have it, or she's going to have it. If a certain type of truck is inappropriate for this City in any division of government, this Council wants to know about it before and not after the fact. And I hope in my dealing with Mr. Jacoby of General Services I will have some input in trying to bring the diverse parties together before the fact and not after the fact.

I think we can avoid a long repeat of what we've just been through year which has really worn us to the bone. All of us are depleted; I think we all need vacations because of the trauma. As I said, Council offers its service of scapegoating; it's one of our services that we give. We're always responsible no matter what happens. We have no input in what happens, we have no input in the decision-making process; but if the wrong person is chosen, we're blamed.

I would urge my colleagues to send a letter to the Mayor essentially urging the Administration to sit down with the

leadership of the parties involved before a new search committee is made and if indeed Mr. Cannon is going to be appointed permanently let us know that up front knowing the very strong feelings that the police and fire departments have with having one department overseeing all departments. That's been a bone of contention.

I personally think Mr. Cannon is an outstanding dedicated citizen; this is not a critique of him and I am not saying the Mayor should not appoint who he thinks is appropriate. But for God's sake don't work in an adversary role of Council, work with us, and we'll be happy to work with you, Mr. Mayor.

The Chair, Pro tem:

Michelle, to respond to you, the Mayor has been in touch with myself acting as the President of Council. I had received the letter today almost the same time that I received the news release that you just spoke of right there. The Mayor's letter, however, was much more direct and to the point. He addressed it to the Honorable President and Members of Council, dated October 6, 1986.

"Dear President and Members of Council:

Pursuant to Section 210 of the City Charter, I am informing you that I have dismissed Public Safety Director John Norton effective Tuesday, October 7, 1986.

His removal at this time is necessitated by erosion in his effectiveness and deterioration in his ability to lead the department.

Very truly yours,

Richard S. Caliguiri"

Michelle Madoff:

One of the unfortunate things and one of the things we give us as public figures, being leaders in the community, sometimes injustices are committed against us. Sometimes we buy a car that is ineffective; maybe we have work done in our homes where we are unhappy. We cannot really sometimes go out and defend ourselves because we would end up in the public eye with people taking sides. It's a sad right that we give up and I would think that we should not judge Mr. Norton until all the facts are in. That was just one of the points I would like to make.

The Chair, Pro tem:

Jack, do you have something to say?

Mr. Wagner:

In regard to this particular issue, I will make a statement later. But I have not yet determined precisely what, as Chairman of Public Safety.

Mrs. Masloff moved to excuse Mr. DePasquale and Mr. Woods for absence from the meeting.

Mr. O'Malley seconded the motion.

Which motion prevailed.

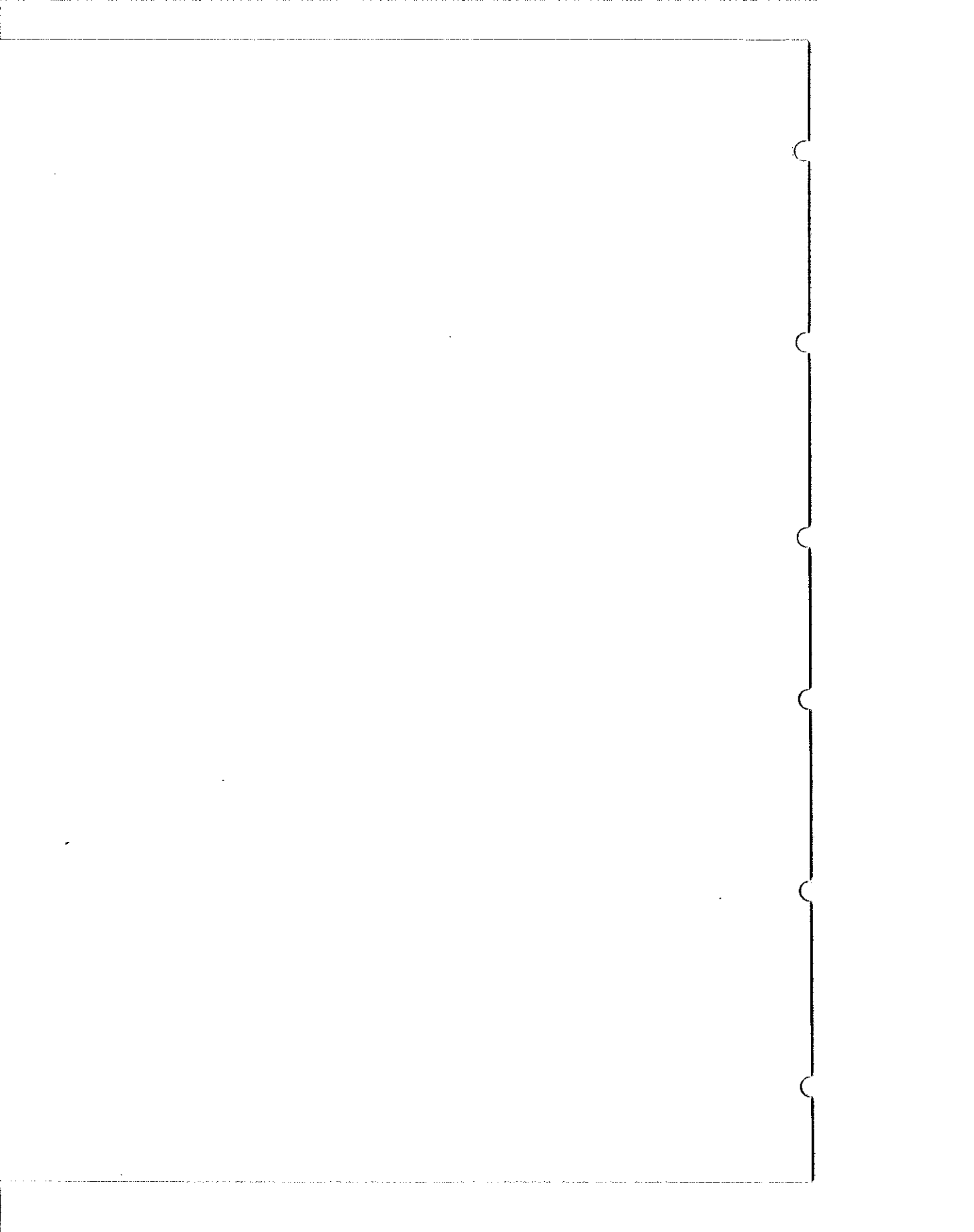
Mr. O'Malley moved to approve the Minutes of Monday, August 11, 1986; Tuesday, September 2, 1986; and Monday, September 8, 1986.

Mrs. Masloff seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.



Municipal Record

Proceedings of the Council of the City of Pittsburgh

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Tuesday, October 14, 1986

No. 39

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Tuesday, October 14, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods (Pres't)

ABSENT:

Mrs. Masloff

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

I'd like to defer from our regular order of business and go with two resolutions.

Mr. Pollock presents

No. 1609 WHEREAS, the health and welfare of the citizens of Pittsburgh are of primary concern, and our City is fortunate to have individuals and organizations dedicated to the preservation of good health and the rehabilitation of the ailing; and

WHEREAS, the Visiting Nurses Association of Allegheny County began a Stroke Rehabilitation and Education Program in 1961; and in 1963, the Brashear Association joined forces with the Visiting Nurses and became a co-sponsoring agency; and

WHEREAS, Brashear Stroke Group began with one group consisting of approximately 10 "Stroke Victors" and care givers and since that time, the program has expanded to 15 groups throughout the County; and

WHEREAS, the purpose of the program is to stimulate the stroke person and family to move from a homebound existence back into the community, to offer families an opportunity to develop relationships with others who face similar problems, and to motivate stroke persons to function at their maximum level; and

WHEREAS, by way of this type of rehabilitation and group interaction, this worthy program helps stroke persons realize that they can still participate in meaningful, productive activities.

✓

NOW THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby congratulate the Visiting Nurses Association and the Brashear Stroke Rehabilitation and Education Groups on their 25th Anniversary and commend them on the worthy and beneficial work they perform; and

BE IT FURTHER RESOLVED, that the Mayor and the Council of the City of Pittsburgh wish the Visiting Nurses and the Brashear Association many years of continued success and proclaim October 16, 1986 to be "Brashear Stroke Rehabilitation and Education Groups Day" in Pittsburgh so that all of the residents of our City can join in the celebration of this wonderful milestone.

Mr. Pollock moved to adopt the resolution.

Mr. Givens seconded the motion.

Which motion prevailed.

Mr. Joseph Tarasovitch:

I'm glad to be a part of the V.N.A. 25th Anniversary and the Brashear Stroke Group and our group leader, Mrs. Mary Louise Regan. She has done a wonderful job. If you would have seen me seven years ago you wouldn't believe it; I was dead. With her help and the help of the V.N.A. and the Brashear, I was really a success. I guess the Lord didn't want me yet.

I want to thank all of you people and Mary Louise and all the V.N.A. We have a wonderful group, our stroke groups. We have a wonderful time; we associate with everybody and talk to everybody and have a wonderful time.

Mr. Pollock:

Thank you.

Mr. Wagner:

I'd like to ask several people from the Community Crime Prevention Coalition to please step forward for this resolution. The Chairman, Bill Conway, Vice Chairman Sergeant Burns, and we have two secretaries, Loretta Miller and Bicky Goldzer, and anyone else involved in the Community Crime Prevention Coalition please step forward for this resolution.

Mr. Wagner presents

No. 1610 WHEREAS, October 13 through October 16, 1986 is National Crime Prevention Week; and,

WHEREAS, decreases in Federal and State funding of social service program will ultimately lead to an increase of crime; and,

WHEREAS, the City must rely on community projects such as the Neighborhood Block Watch Programs to fill the funding void being created; and,

WHEREAS, the Community Crime Prevention Coalition serves as a useful forum for sharing information and ideas, developing priorities and strategies to advocate for community based crime prevention; and,

WHEREAS, the FBI reports that a crime occurs every two seconds, a violent crime every 24 seconds, a property crime every 3 seconds, a murder every 23 minutes, a forcible rape every 6 minutes, robbery every 58 seconds, burglary every 8 seconds, and other crimes all too frequently;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Council of the City of Pittsburgh does hereby commend all members of the Community Crime Prevention Coalition

for their concern and activities in alerting our citizens to the growing menace and cost of crime, and in stimulating public interest in year round crime prevention activities as we join the nation in proclaiming October 13-16, 1986, "Crime Prevention Week" in the City of Pittsburgh.

Mr. Wagner moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Wagner:

Prior to Bill Conway who is Chairman of the Community Crime Prevention Coalition saying a few words and introducing others that are here that are very actively involved in Block Watch Programs throughout the City of Pittsburgh. I would first like to compliment all of them and everyone else in all of our neighborhoods that participated in the National Night Out going back in August of this year not only for their participation but that the City of Pittsburgh was awarded the Number One rating for the most participation and the highest quality National Night Out of any city in America. Those responsible for that were the Community Crime Prevention people, the Block Watch Programs, the Pittsburgh Police Crime Prevention and many, many Pittsburgh residents.

Prior to introducing Bill, I'd like to say that in addition to celebrating Crime Prevention Week, we have a new poster in the City of Pittsburgh that has been put together by all of those groups and it's the Pittsburgh Crime Watch poster. It is an effort of many government entities, neighborhood groups, and the Pittsburgh Police Department Crime Prevention to put this new poster

together. It symbolizes the national symbol of McGruff, take a bite out of crime, the State symbol and the City of Pittsburgh seal. As indicated on it, take a bite out of crime. Criminals beware. In case of suspicious activity we first call the Police immediately at 911; second, call all neighbors; three, prosecute all offenders. At the bottom of the poster is the Pittsburgh Crime Prevention Coalition phone number which is 255-2946. These posters are available through my office, with crime prevention programs and Block Watch programs throughout the City of Pittsburgh.

I can't say enough about how much all these people here have done in their efforts to reduce crime in our city. I'd like to introduce the person that is most responsible, Bill Conway, who is chairman of that group.

Mr. Conway:

Thank you Jack. As Jack stated, October is National Crime Prevention Month throughout the country and our coalition has chosen this week to sponsor special activities to highlight that event. We have done a poster contest in conjunction with a number of schools throughout Pittsburgh and Allegheny County co-sponsored with McDonalds. Those posters were designed by school children around the theme of crime prevention and they will be on display at McDonalds restaurants. Also, some are on display down in the lobby of the City County Building.

In addition to the poster contest, we also are doing a display in the City County Building of different Block Watch groups from throughout the county. The highlight of the week, however, will be on Thursday evening. We will have our seventh annual awards reception at the University of Pittsburgh Student Union.

Everyone is welcome to attend that. We will be honoring neighborhood volunteers who have been very active in Block Watch and in public safety activities throughout Allegheny County.

Coincidentally to Crime Prevention Week, we received word from the National Association of Town Watch that Pittsburgh was chosen the number one City in the country for the neighborhood crime fighting project Night Out. I appeared before Council back in August and a resolution was proclaimed declaring Night Out in Pittsburgh an what happened was, a number of neighborhood groups, not only in the City but throughout the county, organized activities. We have seen Pittsburgh rated number one in football and in baseball, and the most liveable city, and now we can enjoy that kind of number one ranking for neighborhood crime fighting efforts. I'm so proud to share that award with the neighborhood volunteers.

On Thursday afternoon at 1:30 there will be a news conference in the office of Mayor Caligiuri. The officials from the National Association of Town Watch will be in Pittsburgh and they will present us with a plaque and I'm looking forward to that event.

I'd like to acknowledge those who have made all of our activities possible and those who have certainly helped make Pittsburgh number one. That is, the Planning Committee of the Coalition, Loretta Miller from Knoxville, Bicky Goldser from Squirrel Hill, Terry Baltimore from East Liberty. They were all part of the Planning Committee. Other members of the Coalition who are here include Kathy Griffin and the members from the Knoxville Block Watch.

I'd also like to commend the efforts

of the Pittsburgh Police Department Community Relations; I think they're now called the Crime Prevention Unit. They're represented today by Sergeant Carroll Byrne. Sergeant Byrne was one of the original founders of the Coalition along with myself back in 1979 and Sergeant Byrne has done more for community relations in the neighborhoods than I can think of in the Public Safety Department. Would you like to say something, Carroll?

Sergeant Byrne:

The check is in the mail, Bill.

For years we have been telling everybody in the City who would listen that the best kept secret in community crime prevention in the country is Pittsburgh. The amount of people that were involved on National Night Out numbered in the thousands. The amount of crime watch groups we have number in the hundreds. Nowhere in the Department of Justice where they have the books on crime prevention will you find a book on Pittsburgh. We don't write about it; we in the Police Department don't try to take credit for it. This is something that the people in the City have done working day in and day out, not one night a year, day in and day out to take back their streets and make them safer. It has worked. The best kept secret in this country in crime prevention is and has been the people in this City, not our crime prevention unit. I thank you for what you've said, we've been a resource, but the people in this City have earned anything that they can get.

Mr. Conway:

Let me just conclude by saying that when Pittsburgh neighborhood volunteers work on a project together, we see what happens. They're number one. Thank

you.

Mr. DePasquale presented

No. 1565 Resolution further amending Resolution No. 1283 of 1985, as amended, entitled: "Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program" by creating a new line item EC 86-88 Retrofit of Public Safety Building \$6,900,000.00, and new line item GS 86-06 Retrofit of Public Safety Building \$1,600,000.00, and adjusting the Summary Totals of both Departments.

Also,

No. 1566 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Retrofit/Rehabilitation/Renovations/Asbestos Removal of the Public Safety Building, including necessary work on private property and other work incidental thereof, at a cost not to exceed \$6,295,000.00, chargeable to and payable from Code Account EC 86-88.

Also,

No. 1567 Resolution providing for an Agreement or Agreements, or Supplemental Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the Design and Consultant Management of the Retrofit/Rehabilitation/Renovations/Asbestos Removal of the Public Safety Building, at a cost not to exceed \$605,000.00, chargeable to and payable from Code Account EC 86-88.

Also,

No. 1568 Resolution providing for

an Agreement or Agreements with a Consultant or Consultants for Architectural/Engineering Services in connection with the design modifications to various fire stations designated to handle the new proposed fire equipment, at a cost not to exceed \$75,000.00, chargeable to and payable from Code Account EC 86-33.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. DePasquale moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Mr. Wagner:

Discussion. Mr. President and members of Council, are we suspending Rule 8 on all of those bills or --

The Chair:

Yes.

Mr. Wagner:

How many bills are in reference to the Public Safety Building?

The Chair:

One.

Mr. Perry:

I think there's about three. Renovation of the Public Safety Building is two, and equipment is three.

Mr. Wagner:

I would just like to comment on the Suspend Rule 8 motion that I think due to the magnitude of those bills Council should have sufficient time to discuss those bills with the appropriate people prior to a \$7 million allocation of funds.

Therefore, I vote no on the bills in regard to the Public Safety Building and suspending Rule 8.

The Chair:

Jack, we already approved it but we can also, after we discuss it tomorrow, hold it.

Mr. Wagner:

Pardon me?

The Chair:

After we discuss it tomorrow you also can hold it.

Also,

No. 1569 Resolution providing for the issuance of a warrant in favor of Conn Construction Company (Converse Branscome, Jr., President) in the amount of \$10,863.39 in payment of Extra Work, being in addition to the original contract price of \$2,536,174.03 on Controller's Contract No. 27563, furnished for the benefit of the City in connection with the Reconstruction of the Pennsylvania Avenue Bridge and Roadway, payable from the Pennsylvania Avenue Bridge Trust Fund. (PRIOR APPROVAL GRANTED)

Also,

No. 1570 Resolution providing for the issuance of a warrant in favor of A & B Smith Company in the amount of

\$4,139.53 for the purchase of a Blu-Ray Whiteprint Machine and Accessories, payable from Code Account 1490, Equipment, Department of Engineering and Construction.

Which were read and referred to the Committee on Finance.

Also,

No. 1571 Resolution providing for a Contract or Contracts for the Rehabilitation of the Charles Anderson Bridge over Boundary Street; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation, at a cost not to exceed \$2,727,000.00, chargeable to and payable from Code Account EC 86-12.

Also,

No. 1572 Resolution providing for a Contract or Contracts, or use of existing Contracts for lighting installation or replacement at various park facilities, at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account EC 86-61.

Also,

No. 1573 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting authorization for Richard Wharton to attend the Construction Claims Seminar at the Greentree Marriott, Pittsburgh, PA from October 7-8, 1986, at a cost not to exceed \$550.00, payable from Code Account 1482, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 1574 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the Sixth Street Bridge Lane Control System, at a cost not to exceed \$68,838.47, chargeable to and payable from Code Account PW 86-03, Signals at Various Intersections.

Which was read and referred to the Committee on Public Works.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 1575 Resolution transferring the amount of \$947.00 from Code Account RPPP, Residential Parking Permit Program Trust Fund, to Code Account NCDRPPP, Residential Parking Permit Program Trust Fund Non-CDBG, both accounts within the Department of Public Works.

Which was read and referred to the Committee on Finance.

Also,

No. 1576 Resolution granting unto Edward K. Jaros, 1521 Stratmore Avenue, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a Building Encroachment on a portion of the right of way of Gulf Way in the 28th Ward in the 28th Ward of the City of Pittsburgh.

Also,

No. 1577 Resolution vacating Congress Street from Fifth Avenue to the Northwesterly Terminus, a distance of 170± excepting and reserving the 9 inch and 18 inch sewerline therein, in the 3rd Ward of the City of Pittsburgh.

Also,

No. 1578 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting authorization for himself to attend the Snow and Ice Conference in Colorado Springs, Colorado from October 15-19, 1986, at a cost not to exceed \$225.00, payable from Code Account No. 1502, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1579 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 12 by changing: From "C2" Highway Commercial District and "M2" Limited Industrial District to "C4" Commercial District all that certain property bounded by: HAMLET STREET; THE BOULEVARD OF THE ALLIES; MC DEVITT PLACE; FORBES AVENUE and CRAFT AVENUE, 4th Ward.

Also,

No. 1580 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 957 and Chapter 981 by requiring Administrator Approval of a Site Plan in "C4" Commercial Districts for new or changed use of land; for every structure to be erected, enlarged or altered for a residential use in excess of two (2) dwelling units and for every

structure to be erected or enlarged for a commercial use to have in excess of 2,400 sq. ft. of gross floor area.

Also,

No. 1581 An Ordinance A. Amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 11 by changing: From "M4" Heavy Industrial District to "SP" Specially Planned District No. 2, certain property being the northeasterly portion of Herr's Island, 24th Ward; and B. Amending Article IV, Chapter 973 by inserting a new Specially Planned District entitled "SP-2" Herr's Island including regulations applicable thereto.

Mr. Grabowski:

Mr. President, in an attempt to extradite the process, these three bills that were introduced are all zoning changes. I would move that we set public hearings on those since by law we are required to do that.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 1582 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for a Transportation Systems Management (TSM) study in portions of the Squirrel Hill area in the City's East End, at a cost not to exceed \$30,000.00, chargeable to and payable from the 1986 Existing Project Authorization funds, Department of City Planning, "Traffic Management Studies" (CP-86-08).

Also,

No. 1583 Resolution authorizing

the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any in and to the publicly owned property in the 5th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 10N Lot 79 (170 Devillier Street), for the sum of \$1.00, under the Residential Land Reserve Fund. This property is being acquired by this Authority for the purpose of assembling a housing site for a single family dwelling unit.

Also,

No. 1584 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any in and to the publicly owned properties in the 5th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 10J Lot 343 (2126 and 2132 Bedford Avenue), for the sum of \$1.00, under the Residential Land Reserve Fund. These properties are being acquired by this Authority at the recommendation of the Department of City Planning and the Hill District Project Area Committee. The properties are being acquired for resale to the Macedonia Baptist Church. The Church, which is located at 2225 Bedford Avenue, will develop these properties for off-street parking.

Also,

No. 1585 Resolution approving the execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Caraway and Lillie E. Houston for the sale of Parcel 47 (2608 Wylie Avenue), for the sum of \$800.00, in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32. The Redeveloper plans to rehabilitate the existing residential structure on this

property.

Also,

No. 1586 Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various redevelopers for the sale of various properties in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27 (REAR YARDS).

Also,

No. 1587 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Larry Jolmsen for the sale of Parcel 111 (1308 Liverpool Street), for the sum of \$9,500.00, in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27. The redeveloper plans to rehabilitate the existing residential structure on this property.

Also,

No. 1588 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Donald A. Spencer for the sale of Parcel 35 (1430 Columbus Avenue), for the sum of \$2,000.00, in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27. The redeveloper plans to rehabilitate the existing residential structure on this property.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 1589 Resolution providing for an Agreement or Agreements and/or Contract or Contracts, or use of existing

Agreements or Contracts for the leasing of office space and the necessary services required due to the relocation and housing of the various occupants of the Public Safety Building, at a cost not to exceed \$1,600,000.00, chargeable to and payable from Code Account GS 86-06.

Which was read and referred to the Committee on General Services.

Michelle Madoff:

Point of order. I will move to suspend Rule 8 on that bill but only if we have the locations. Is that just authorizing to look for locations or do we have the locations determined to choose from? You know what we went through with that building here; I don't want to go through that scene again on moving the Water Department.

Mr. Perry:

The location is not in the bill.

The Chair:

We can discuss it tomorrow.

Michelle Madoff:

May I please have that when we get the bills.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Mr. Wagner:

Opposed.

Which motion prevailed.

Mr. O'Malley presented

No. 1590 Resolution transferring the sum of \$50,000.00 to Code Account 1044, Supplies, Department of the Mayor, City Information Systems from Code Account 1043, Miscellaneous Services, Department of the Mayor City Information Systems. This reason for this request is an increase in 1986 in the paper forms, cables, PC supplies, etc., over the amounts used in 1985 and budgeted for, due to the increase in use of computer systems by all City departments.

Which was read and referred to the Committee on Finance.

Mr. O'Malley moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Pollock seconded the motion.

Which motion prevailed.

Also,

No. 1591 An Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article IX, Boards, Commissions and Authorities, by adding Chapter 176, "Comprehensive Municipal Pension Trust Fund."

Also,

No. 1592 Resolution to provide for the transfer of the assets of the City's various pension funds to the board of trustees of the Comprehensive Municipal Pension Trust Fund as required by the "Municipal Pension Plan Funding Standard and Recovery Act."

Also,

No. 1593 Resolution providing for an Agreement or Agreements between the City of Pittsburgh alone and/or with The School District of Pittsburgh and/or with the County of Allegheny and Real Estate Appraiser or Appraisers for professional and consulting services in connection with the City's sale or acquisition of real estate and real estate tax assessment matters involving real estate in the City, at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account No. 1075, Miscellaneous Services, Department of Law.

Also,

No. 1594 Resolution amending Resolution No. 355, effective April 30, 1986, entitled: "Resolution providing for a professional services Agreement or Agreements for the provision of a needs assessment in connection with an automated activities tracking system for the Department of Law," by increasing the total allocation by \$2,000.00 from \$8,000.00 to \$10,000.00, chargeable to and payable from the Bureau of Information Systems, City Information Systems, Department of Mayor, Code Account No. 1043, Miscellaneous Services.

Also,

No. 1595 Resolution amending Resolution No. 354, effective April 30, 1986, entitled: "Resolution providing for an Agreement for the provision of computer training services to City Information Systems," by increasing the total allocation by \$10,000.00 from \$15,000.00 to \$25,000.00, chargeable to and payable from the Bureau of Information Systems, City Information Systems, Department of Mayor, Code Account No. 1043, Miscellaneous

Services.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 1596 Communication from Daryl Smith, Director, Department of Water, requesting authorization for Robert Ravenstahl to attend a one-day seminar entitled: "Techniques for Collecting Accounts Receivable" at the Hyatt Pittsburgh in Chatham Center on October 28, 1986, at a cost not to exceed \$200.00, payable from Code Account No. 1922.

Which was read and referred to the Committee on Water.

Mr. Wagner presented

No. 1597 Resolution providing for the issuance of thirty (30) warrants in favor of State certified evaluators for the Public Safety Training Academy's Voluntary I Firefighter Certification Program for services rendered, at a cost not to exceed \$1,500.00, chargeable to and payable from the Department of Public Safety, Bureau of Administration Code Account (DPSTPP).

Which was read and referred to the Committee on Finance.

Also,

No. 1598 Resolution amending Resolution No. 598, effective July 15, 1986, entitled: "Resolution providing for a Contract or Contracts or the use of existing Contracts for the purchase, installation and construction of fencing for the Police Firearms Range," by increasing the total allocation by \$5,000.00 from \$25,000.00 to \$30,000.00, chargeable to and payable from the Department of Public Safety Code

Account (DPSTPP). (PRIOR APPROVAL GRANTED)

Also,

No. 1599 Communication from Glenn Cannon, Acting Director, Department of Public Safety, requesting authorization for fifteen (15) Public Safety personnel to attend the Water Rescue Seminar in Harrisburg, PA, October 10-11, 1986, at a cost not to exceed \$1,000.00, payable from Code Account PRIST. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on Public Safety.

The Chair presented

No. 1600 Petition from the residents of the City of Pittsburgh concerning the cutting of Emergency Medical Services over the Labor Day holiday and subsequent holidays. This petition is valid in accordance with Section 320 of the Home Rule Charter.

Also,

No. 1601 Petition from the residents of the City of Pittsburgh, requesting a public hearing concerning the questionable conduct and administrative activities of Public Safety Director John Norton, and also discussion on the disorganization in the Public Safety Department, particularly the implementation of the 5 zone concept. This petition is valid in accordance with Section 320 of the Home Rule Charter.

Also,

No. 1602 Communication from Thomas Flaherty, City Controller, submitting the Performance Audit Report of the Economic Development Department, Urban Redevelopment

Authority, pursuant to Resolution No. 230 of 1985.

Which were severally read, received and filed.

UNFINISHED BUSINESS

Michelle Madoff:

Correct me if I'm out of order, but I have two items that I'd like to find out if they're Unfinished Business. One of them is the nomination of Mr. Cannon.

The Chair:

That's not Unfinished Business. It will be presented at the proper time.

Michelle Madoff:

The other one is the election by district issue. Is that also the inappropriate time?

The Chair:

Inappropriate.

Michelle Madoff:

Would you tell me when it's the appropriate time?

The Chair:

Yes.

Michelle Madoff:

Thank you.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1603

Report of the Committee on Finance for October 8, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1498

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pugliano Construction Company (Angelo Pugliano, Partner) in the amount of \$1,962.00 in payment of Extra Work, being in addition to the original contract price of \$739,000.00 on Controller's Contract No. 27721, furnished for the benefit of the City in connection with the Building General Construction at the Pittsburgh Zoo, Phase 41: Plaza; and providing for the payment thereof." (PRIOR APPROVAL GRANTED)

Which was read.

Also,

Bill No. 1499

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company (Peter Nicholson, President) in the amount of \$51,289.29 for the final partial payment of Extra Work for water and sewer line work on the Goettman Street Wall Emergency Contract; and providing for the payment thereof." (PRIOR APPROVAL GRANTED)

Which was read.

Also,

Bill No. 1500

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company (Peter Nicholson, President) in the amount of \$23,579.00 for the final partial payment of an Emergency Contract for the Reconstruction of the Goettman Street Walk; and providing for the payment thereof." (PRIOR APPROVAL GRANTED)

Which was read.

Also,

Bill No. 1508

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of 3M Company in the amount of One Thousand Five Hundred Seventy Nine Dollars and Eighty Four Cents (\$1,579.84) for the emergency purchase of Microfilm Printer Paper needed for daily work performance in the Permits Office of the Department of Public Works, which currently is not covered under any City Contracts, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1512

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the James L. Smith Insurance Agency for payment of the annual premium for the Workers' Compensation Self Insurance Bond."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1513

A Resolution entitled, "Resolution authorizing the Mayor and the Directors of the Departments of Finance and Public Works, on behalf of the City of Pittsburgh to enter into a lease with the Grain Associates, Ross Nese, General Partner, for a term of fifty (50) years commencing on the effective date of this Resolution. Leasing a portion of Wharton Street, between South 22nd Street and the Birmingham Bridge in the 16th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1514

A Resolution entitled, "Resolution providing for the filing of an application or applications with the County of

Allegheny and/or with the Authority for Improvements to Municipalities, and also for Agreements with each of the two said parties, concerning certain annual grants to the City commencing with the year 1986 and continuing each and every year thereafter, through the year 2011, and also concerning annual deferred loans to the City in amounts not to exceed \$426,000.00 each, for the same years, the proceeds of which grants and loans shall be used for projects and for facilities located within the City of Pittsburgh, and providing for the creation of a special trust fund for the deposit of said proceeds."

Which was read.

Mr. Wagner:

I'd like my comments brought forward on Bill No. 1514. Thank you.

(BEGINNING - MR. WAGNER'S
REMARKS ON BILL NO. 1514 -
WEDNESDAY, 10/8/86)

Mr. Wagner:

Mr. Donahoe, have we, as yet, designated how those funds are utilized, and has the application yet been put together?

Mr. Donahoe:

It hasn't been put together. Our bottom line need here is to have, when these funds come to the City, to have them put in the general fund of the City, since that is what our obligation is being paid out of while we are in the process of doing our findings of capital-kind of projects that are paid out of the operating budget. Now, what might go to State road repavement, that is in essence a capital investment, but a large part of that expense is paid out of the operating fund in the form of wages paid

to City employees who do the actual work. It could possibly be the City's subsidy to the Stadium itself, which would be more directly related to this matter, because a lot of that money is used for capital maintenance at the Stadium itself.

We were trying to get a reading from the Authority on which of these things would fall more in line with their guidelines, and we just haven't gotten that yet. As soon as I have that I will inform Council what the application would be, but our need is to get that money into our capital funds.

Mr. Wagner:

There is no need for that to be specified as part of the legislation?

Mr. Donahoe:

No.

Mr. Wagner:

I would simply appreciate knowing, once you determine and they determine what qualifies.

Mr. Donahoe:

I'll do that.

(END OF REMARKS)

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1519

A Resolution entitled, "Resolution authorizing the issuance of a warrant in the amount of \$5,900.00 in favor of Rovitto Demolition, 2614 California Avenue, Pittsburgh, PA 15233 in payment of contract for demolition and removal of a 3 story frame party-wall dwelling & 2 story brick & frame garage (rear) located at 1162-64 Voskamp Street, 24th Ward, without previously authority of law and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 1604

Report of the Committee on Public Works for October 8, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1509

A Resolution entitled, "Resolution Repealing Resolution No. 147 effective March 3, 1986, entitled: 'Providing for an Agreement or Agreements between the City of Pittsburgh and the Steel Valley Council of Governments for a Hydrolic Study of the West Run Creek and providing for the payment of the cost thereof.'"

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods

(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Grabowski presented

Bill No. 1605

Report of the Committee on Planning, Housing and Development for October 8, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1445

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Port Authority of Allegheny County for continuation of the Hill District and Oakland Loop Bus."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 1606

Report of the Committee on Engineering and Construction for October 8, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1501

A Resolution entitled, "Resolution Repealing Resolution No. 555, effective July 15, 1983, entitled: 'Providing for a Contract or Contracts for Rehabilitation of Six (6) Synchronous Motors at the Brilliant Pumping Station; and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 1502

A Resolution entitled, "Resolution amending Resolution No. 1234, effective November 26, 1980, entitled: 'Providing for an Architectural and/or Engineering Agreement or Agreements in connection with the construction of a new No. 42 Fire Station, Chestnut Street and providing for the payment of the cost thereof,'" by decreasing the total project allocation from \$80,000.00 to \$66,703.19."

Which was read.

Also,

Bill No. 1503

A Resolution entitled, "Resolution further amending Resolution No. 244, effective April 20, 1983, as amended by Resolution No. 686, effective August 21, 1984, entitled: 'Providing for an Agreement or Agreements for Architectural/Engineering Services and a Contract or Contracts, including the use of existing Contracts, for construction in connection with alterations at Special Populations Program Centers to accommodate the physically handicapped, and providing for the payment of the cost thereof,' by decreasing the total project allocation from \$80,000.00 to \$79,484.00."

Which was read.

Also,

Bill No. 1504

A Resolution entitled, "Resolution further amending Resolution No. 1283 of 1985, as amended, entitled: 'Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Budget Improvement Program,' by increasing a line item, creating a new line item, and adjusting the Summary Totals."

Which was read.

Also,

Bill No. 1505

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Preliminary and Final Design Services in connection with the

Replacement of the Larimer Avenue Bridge over Conrail Tracks; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof."

Which was read.

The Chair

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 1607 Resolution that the appointment by the Mayor of Glenn Cannon of 1040 Portland Street, Pittsburgh, PA 15206 be and the same is hereby appointed and confirmed as the Director of the Department of Public Safety. Said appointment shall be effective immediately.

Which was read

Mr. Givens:

Mr. President, if we could hold, as Council customarily does on new directors being appointed, for a two week period.

The Chair:

Bring Mr. Cannon in a week from Wednesday, a week from tomorrow. That's normal procedure.

Mr. Givens:

May I ask if Mr. Cannon would provide this Councilman and I'm sure others with any resumes that he might have on his background going back to when he was in school, etc. even at the grade school and high school level, any commendations, any sporting awards, any Boy Scouts, along with all his other academic credentials. This Councilman would appreciate anything that he might add to what we already know on his services within the City of Pittsburgh.

Mr. DePasquale:

Be sure he includes his good Scout award.

Mr. Givens:

Absolutely.

The Chair:

He will be coming in a week from tomorrow.

Michelle Madoff:

I'm a little bit confused at what's happening here today. I'm not really familiar with the process and I think perhaps much of the public isn't so if you'd clarify it I'd appreciate it. You've introduced the name, do you need a

second on that?

The Chair:

No.

Michelle Madoff:

So it's just a matter of an introduction. And then the procedure is to hold it until we interview the person.

The Chair:

Right.

Michelle Madoff:

Don't you think that person has been interviewed to death?

The Chair:

I personally do, myself, but we follow the Rules of Council and bring him in the normal legislative period which would be a week from tomorrow.

Michelle Madoff:

A week from tomorrow. Then we would vote final vote --

The Chair:

It would be on the 27th. Two weeks from yesterday. It's the normal calendar of Council.

Michelle Madoff:

Well, just for the record, our phones are going to come off the hook and life is going to be unbearable. You have to bite the bullet and get on with it. There's no way of waiving that rule, is there?

The Chair:

Yes there is but I would prefer that we just follow the normal process. This way it's not rushed through and no one can claim that we've done that.

Michelle Madoff:

Fine.

Mr. Wagner:

Mr. President and members of Council, my concern is that in the name coming in front of us that it may be happening too quickly. As Chairman of Public Safety, I have continually indicated things that were occurring in Public Safety for the last year, year and a half of which I was not comfortable with. I'm not saying in any way that I'm not comfortable with the name that has been presented; I believe that individual is a very competent individual and obviously is performing with the responsibility of a full directorship except for hiring and firing. I believe the best test for an individual in any position, whether it be at the top of the ladder or the bottom rung of a ladder, is the interim time frame and the performance within that time frame.

For that reason, I would hope that Council would entertain a grace period of, say, 60 days in the acting director position for Mr. Cannon. I believe within that time frame, all of us would know quite well the performance of the individual. I don't think there's any better test than that for anyone in any position. If you go back with the position when we initially filled it, we didn't have that opportunity. It was an interview process with an individual and I personally asked many questions in that interview process and some members of Council did also. But there's a big difference between asking questions and

evaluating performance on the job. And because it is such an important position of which it oversees 2600 people within the City of Pittsburgh, I think the best test and the best evaluation process is the acting position of director. And I tend to believe Mr. Cannon in that position will show that he is competent in it.

The other point that I want to mention that I think is very important relates to the budget. The Mayor will be presenting the budget to us in approximately three weeks, of which a considerable portion of that budget is Public Safety, almost one-half of the budget. I believe it's very important to know where that department is going and to have input from the Administration, the Mayor, the budget people, and the acting director, prior to confirmation to this position. I, as Chairman of Public Safety, have had concerns all along, I have brought them to all members of this Council, and that is my concern now. I would prefer to see this position remain as an acting position for approximately 60 day.

The Chair:

Thank you.

Mr. Givens presents

No. 1608 WHEREAS, at the recent convention of the National Association of Telecommunications Officers and Advisors, the Board of Directors presented its first annual award for "Outstanding Government Programming" to the City of Pittsburgh's Bureau of Cable Communications; and,

WHEREAS, the Board of Directors also named Brother Richard Emenecker, our Superintendent of the Cable Bureau, the Association's first annual "Member of the Year" for his dedicated and

outstanding service in the cable communications industry; and,

WHEREAS, this award has again provided national prestige and recognition to the City of Pittsburgh's Cable Bureau to complement the 1985 National Federation of Local Cable Programmers award in the category of "Best Municipal Programming;" and,

WHEREAS, during the past ten years since its installation, the City of Pittsburgh has become a model for government regulation and utilization of cable television that has been adopted by several major cities; and,

WHEREAS, the current cable system operated by Pittsburgh Tele-Communications, Inc. has more than 84,000 subscribers who have access to a broad range of helpful government information and exciting commercial programming;

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby commends the entire staff of the Bureau of Cable Communications in the Department of Public Works for their dedication, service, and continued national leadership in cable communications.

Mr. Givens moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Givens:

I would like to bring Brother Richard Emenecker who is our Bureau Chief here to come up and say a few words. This is a nationally recognized

achievement award for both Brother Richard and for our programming as we view it on 17. As some will say in this room, it's the best show in town. However, I think we are to have a feather in our hat for the good dedicated work that they have done and are so recognized nationally, the City of Pittsburgh and our Cable Bureau.

With that, I'd like Brother Richard to say a few words and also to commend Lawrence Staab and Saul Ellis who are our TV manager and regulation supervisor.

Brother Richard:

Thank you, Mr. Givens. I would like to thank City Council for this recognition. It's always a great honor to receive recognition at a national level; it's a sweeter honor to have that recognized at the local level. We enjoy doing what we do.

I owe it all to the staff. As one individual, I obviously cannot do it all and I do have an outstanding staff and I think they are a credit to the City for all the work that they do. Thank you.

Mr. Givens:

A few of the staff members, they're a little bit bashful, but if I could call them up here to please make a comment to the people in the audience. I'd appreciate it very much.

Mr. Staab:

I'd like to thank the team behind the scenes, the people behind the cameras, the people behind the headsets. Thanks for your good work.

Mr. Ellis:

My thank you goes to the members

on the regulation section. They are not here but I'd like to say thanks to everyone. Thank you.

Michelle Madoff:

On another matter, Mr. President. We are all aware that there has been a great deal of pressure on this Council to change the process of election from the present form of at large to by district or a combination. I think this Council should take the leadership of putting on the ballot the three questions so that we don't have to have signatures from the citizens making it look like we don't want to do the proper thing. I would suggest that this Council put the three questions on the ballot which would say, do you wish to have election by district, 9-0; do you wish to have election in its present form, at large; or a combination of either 7-2 or 6-3. We should decide what that is amongst ourselves and come up a position to put three questions on the ballot without having the public to go out and get 14,000 or 20,000 signatures and making it look like we were coerced into doing what we're going to do anyway.

Mr. Pollock:

Put it in writing.

The Chair:

Please, address your remarks to the Chair. You are out of order.

Michelle Madoff:

Mr. President, I'm doing it as a floor motion that we move expeditiously to put the three questions on the ballot for May and we determine what those three questions will be. The three question being, the stickler being, shall it be 6-3, 7-2, or whatever. But not have it appear that this Council is being

pressured by the public because we want to do it anyway. Let's just do it.

The Chair:

Michelle, I had a meeting with Danny Pellegrini and he is going to meet with all members of Council and I suggest that you wait until he meets with you and perhaps we'll have a solution.

Michelle Madoff:

I don't have a problem with it but there's going to be something —

The Chair:

Within a few days he'll be meeting with you.

Michelle Madoff:

Fine, but there will be something on the ballot in May and I think we would all agree that we should not make it look like we're fighting it because we want to hold onto our territory and our turf. As a matter of record, I will have to move. I know that I will have to move and if I move now, wherever my house is will be gerrymander. So, I'll have to wait until the divisions are made and then move into an area I think I can win, if indeed election, it is the decision and the voice of the public and the public has a right to vote. And I don't think we should delay it any longer than we have to. When is Mr. Pellegrini going to meet with us?

The Chair:

Within the week.

Mr. Givens:

Mr. President, in your absence this last week or so, dated October 8th, all the members of Council were in receipt of a letter from Mr. Tom Flaherty

addressed to all the Councilmembers and I would like to introduce the letter into the record. I won't read the whole thing but in the last paragraph, the Controller urges us to launch a full-scale public investigation into this flagrant abuse of office, etc.

This is a very serious allegation that the Controller has laid upon all of the Councilpeople to address and I feel, personally, that Mr. Flaherty — that this is not the body for this particular investigation to come forward with and any time that the police have been involved, it's been traditional that the Controller would normally seek the District Attorney of Allegheny County or the Attorney General of the State of Pennsylvania or the Federal Attorney General, whichever avenue he would want to choose.

I think the allegations that Mr. Flaherty inserts here is one that is most alarming, that if we in fact have abuse of police powers within the City of Pittsburgh, that it falls on all of our shoulders to have this thing done and done properly and I submit to the Controller of the City that he do this and not that I want to shirk my responsibilities but I feel all of us in this Council have an impression one way or the other on all the people who serve in this particular government to get a complete and fair hearing, if he so desires it, then he should seek the counsel that I have just mentioned to get a full and complete investigation. Otherwise, I think this thing then should die a natural death within this City, that the taxpayers and our residents know that action is going to be taken if Mr. Flaherty wants to pursue that particular issue.

Mr. Wagner:

Mr. President and members of

Council, in regard to the same issue, all of us have received the same letter and the same request. I think it's important for Council to refer continually to the Charter and the Charter gives us two powers, to investigate and to legislate. This Council only follows one portion of those powers and that is to legislate. We seldom, if ever, investigate.

There have been serious allegations made and a statement has been made within the Department of Public Safety that yes, an investigation did take place. I do not know if the investigation was warranted or not. But yes we do know that an investigation and a one-statement comment has been made in regard to it. It doesn't matter whether it's the Controller, a member of the Cable Communication Bureau, a member of this Council, or anyone else within City government. This Council has a right to know why and this Council should follow up and find out why. We may well find out that it was warranted or we may find out that it was not warranted, and that really is the issue. The issue doesn't go beyond that, it goes beyond whether or not it qualified for an investigation. I see nothing wrong with this body providing the checks and balances on the Administration that its intended to provide according to the Charter, according to what the powers of the citizens have given this Council. It doesn't matter who it is within this government but I believe this Council has a responsibility to follow up on it. If it does not, this Council is as liable as the Administration is for initiating an investigation that may not have been warranted, because we are given the powers to provide that check and balance.

So, I for one would like to see this Council determine at the very least, as to whether or not it was warranted and we should do that, I believe, in a formal

fashion, not with one Councilmember having a post agenda, one Councilmember initiating their own investigation without the support of the majority. But I believe this body should act on that in some formal fashion to yes, get that issue behind us. If we do not, that issue will linger with this body, with this Administration, forever. And I for one do not want to be a part of it and the only way we can cleanse it is to look into it and find out what the facts are.

Michelle Madoff:

In principle I agree with what Mr. Wagner is saying, that when we have an audit this Council has the right to convene a post agenda or even a hearing. Any member of this Council can call a hearing; we don't need to go out and get 25 signatures. That is the prerogative of every member of this Council.

With reference to the URA allegations, they are not new, they've been made by HUD. There have been several investigations already made. There has been no denial of the allegations. As a matter of fact, it seems to me that there is a letter, I don't have a copy of the report in front of me, that says yes, we've had some problems and we're going to correct those problems.

Now, what are we going to learn through a hearing that has already not been admitted to? That there is a problem, there is sloppy bookkeeping and that indeed not only has there been one report made on it but I think two others. I understand this is only half the report; there is another part of the report coming out and it will be interesting to see what that has to say, and I think what we need is a meeting set up between the President of this Council and the Administration to see what the

Administration is going to do about tightening its administrative efforts, because no matter what we do in this Council, no matter how much we investigate, we only get the information that department heads are willing to share with us and furthermore, we have no authority to do anything. This Council cannot do anything.

The Chair:

Michelle, let me interrupt you for one moment. I think you misunderstand what Mr. Wagner is saying. He was referring to an investigation of the allegation that Mr. Norton had Mr. Flaherty investigated. Am I correct?

Mr. Wagner:

You're correct but it's not an allegation; it's a fact.

Michelle Madoff:

Did you change subjects in the middle of the stream? Are you no longer talking about what Mr. Givens talked about.

Mr. Wagner:

I'm talking about the same topic as Mr. Givens.

The Chair:

They're both talking about the investigation of Mr. Flaherty.

Michelle Madoff:

Are we talking about the report from Mr. Flaherty's office on URA --

The Chair:

No.

Michelle Madoff:

There is a letter from Mr. Flaherty about the URA.

The Chair:

That's a different issue.

Michelle Madoff:

I believe Mr. Wagner said whether it's one issue or another, we should be investigating them all and that's where I got a little sidetracked.

Mr. O'Malley moved to excuse Mrs. Masloff for absence from the meeting.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Mr. DePasquale moved to approve the Minutes of Monday, September 15, 1986; Monday, September 22, 1986; and Monday, September 29, 1986.

Mr. Givens seconded the motion.

Which motion prevailed.

And on the motion of **Mr. DePasquale**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Monday, October 20, 1986

No. 40

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, October 20, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

ABSENT:

Mr. Grabowski

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Pollock presents

No. 1647 WHEREAS, The Brashear Association, a United Way agency, has been a provider for social services and community development in South Side and its adjacent communities since 1917; and

WHEREAS, The Brashear Association's two community centers, the Brashear Center of Sarah Street and the Henry Kaufmann Neighborhood House on Salisbury Street, serve as community meeting places and clearing houses for information services and referrals; and

WHEREAS, many vital programs are housed by The Brashear Association including an adult day-care center, senior nutrition services, a rehabilitation/support group for victims of cardio-vascular accidents, emergency food pantries, a preschool and day-care center, a Children's Dental Clinic and a Well Baby Clinic; and

WHEREAS, The Brashear Association sponsors recreational and educational programs for adults and children and works with community organizations to resolve neighborhood problems, and Brashear Association is one of two pilot sites for Project LEARN, an adult literacy program; and

WHEREAS, on October 25, 1986, the Brashear Association will be the receiver of the Community Service Award at the Annual South Side Chamber of Commerce Dinner for its numerous

years of dedication and countless hours of providing for the less fortunate and maintaining a successful community.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby commend The Brashear Association and its entire staff for the many contributions to the South Side area and its adjacent communities and we urge its participants to continue to strive for personal and professional success; and

BE IT FURTHER RESOLVED, that the Mayor and the Council of the City of Pittsburgh also congratulate The Brashear Association on being the recipient of the Community Service Award for its many years of fine services.

Mr. Pollock moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Pollock:

Here today is Hugh Brannan who is the President, and who had no idea he was going to be receiving this so he probably doesn't have anything prepared to say, but if he could just say a few words, ad lib, I'd appreciate it.

Mr. Brannan:

I'm real surprised because I wasn't expecting this today. The Brashear Association has been serving the South Side for over 70 years and this Saturday evening South Side Chamber of Commerce is going to acknowledge those years of service with their annual community service award. The Association is quite pleased that its

going to be receiving the award and very thankful today for this resolution and Council's adoption of it. Thank you.

The Chair:

Thank you.

Mr. DePasquale presented

No. 1611 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Reconstruction of the Department of Public Works' Second Avenue Building at a cost not to exceed \$585,000.00, chargeable to and payable from Code Account EC 86-87.

Which was read and referred to the Committee on Engineering and Construction.

Mr. DePasquale moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 1612 Resolution providing for the issuance of a warrant in favor of General Roofing Company (D. Dale Hamilton, III, President) in the amount of \$7,348.60 in payment of Extra Work, being in addition to the original contract price of \$257,666.00 on Controller's Contract No. 27280, furnished for the benefit of the City in connection with the Emergency Jobs Bill - Roof Rehabilitation of Various City Facilities, payable from Code Account EC 85-59.
(PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 1613 Resolution amending Resolution No. 145, effective March 3, 1986, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the Shop Inspection of the fabrication of the structural steel for the Bloomfield Bridge, Phase IV; and providing for the payment of the cost thereof," by providing for a Supplemental Agreement or Agreements and by increasing the total project allocation by \$638.03 from \$6,000.00 to \$6,638.03, chargeable to and payable from the Bloomfield Bridge Trust Fund.

Also,

No. 1614 Resolution further amending Resolution No. 1283 of 1985, as amended, entitled: "Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program," by increasing line item EC 86-33 Architectural/Engineering Contracts by \$75,000.00 and increasing EC 86-58 Tree Planting Program by \$7,543.00 and adjusting the Summary Totals.

Also,

No. 1615 Resolution further amending Resolution No. 522, effective June 13, 1985, as amended by Resolution No. 1126, effective December 11, 1985, entitled: "Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants for Engineering Services in connection with the Shop Inspection of the fabrication of the structural steel for

the Pennsylvania Avenue Bridge; and providing for the payment of the costs thereof," by increasing the total project allocation by \$3,478.64 from \$40,000.00 to \$43,478.64," chargeable to and payable from the Pennsylvania Avenue Bridge Trust Fund.

Also,

No. 1616 Resolution further amending Resolution No. 294, effective April 24, 1984, as amended by Resolution No. 1015, effective November 29, 1984, entitled: "Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements with Robert W. Hunt Company (Daniel V. Biank, P.E., General Manager) for Professional Engineering Services in connection with the Steel Inspection for the Bloomfield Bridge, Phase III; and providing for the payment of the cost thereof," by increasing the total project allocation by \$34,809.40 from \$235,000.00 to \$269,809.40, chargeable to and payable from the Bloomfield Bridge Trust Fund.

Also,

No. 1617 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the In-Depth Inspection of the Fort Pitt Boulevard - Eastbound/Market Street Bridges; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; at a cost not to exceed \$60,000.00, chargeable to and payable from Code Account EC 86-10.

Also,

No. 1618 Resolution further amending Resolution No. 1372, effective December 23, 1982, as amended by Resolution No. 820, effective September

30, 1983, entitled: "Providing for an Agreement or Agreements or Supplemental Agreement or Agreements, with a Consultant or Consultants for Engineering Services in connection with the Rehabilitation of a portion of Fort Pitt Boulevard - Eastbound; and providing for the payment of the cost thereof," by amending the title to include the Rehabilitation of the Market Street Overpass and by increasing the total project allocation by \$240,000.00 from \$152,000.00 to \$392,000.00, chargeable to and payable from the following Code Accounts: PW 81-38 \$92,000.00, PW 83-07 \$60,000.00, EC 86-17 \$200,000.00, and EC 86-21 \$40,000.00.

Also,

No. 1619 Resolution providing for a Contract or Contracts or use of existing Contracts, for the Rehabilitation of Swisshelm Park Playground at a cost not to exceed \$77,000.00, chargeable to and payable from EC 85-38 \$7,000.00 and EC 86-49 \$70,000.00.

Also,

No. 1620 Resolution Repealing Resolution No. 880, effective August 31, 1981, entitled: "Providing for an Agreement or Agreements or use of existing Agreements for professional services in connection with the Phase II Design of Volunteer's Field at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account PR 80-30.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 1621 Resolution transferring the sum of \$10,000.00 from Code Account No. 1167, Wages, Regular

Employees, Department of Environmental Services to Code Account No. 1160-1, Premium Pay, Department of Environmental Services. The transfer is necessary to cover the additional overtime cost as a result of past performance over the years.

Which was read and referred to the Committee on Finance.

Mr. DePasquale for Mr. Grabowski presented

No. 1622 Resolution providing for the filing of Application(s) for financial assistance by the City of Pittsburgh with the Pennsylvania Department of Community Affairs, Commonwealth of Pennsylvania for the undertaking of Strategy 21 as permitted by the Redevelopment Assistance Capital Projects Law.

Which was read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 1623 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and installation of approximately eight (8) Twin Post Hydraulic Lifts for the Department of General Services at a cost not to exceed \$40,000.00, chargeable to and payable from Code Account 4-30-01-0001-86, (GS 86-01), Miscellaneous Equipment for City Departments.

Also,

No. 1624 Communication from George Jacoby, Director, Department of General Services, requesting authorization for Nancy Burgy to attend a course on the Maintenance of Commercial Vehicles in University Park,

PA from November 18-20, 1986, at a cost not to exceed \$650.00, payable from Code Account No. 1128, Miscellaneous Services.

Which were read and referred to the Committee on General Services.

Mr. O'Malley presented

No. 1625 Resolution authorizing the transfer of \$802,300.00 from Code Account 44, Workers Compensation, (\$150,000.00) from Code Account 1402-9, Department of Public Safety-Administration Worker's Compensation, and (\$320,000.00) from Code Account 41, Real Estate Tax Refunds to various departmental Workers Compensation Code Accounts.

Which was read and referred to the Committee on Finance.

Mr. O'Malley moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

No. 1626 Resolution providing for the issuance of a warrant in the amount of \$3,284.36 for computer equipment unavailable from City's existing contract in favor of BUSINESSLAND for the Bureau of Information Systems, City Information Systems, Department of the Mayor, Code Account No. 1045, Equipment. (PRIOR APPROVAL GRANTED)

Also,

No. 1627 Resolution providing for the issuance of a warrant in the amount of \$25,000.00, payable to Gordon J. Isherwood, c/o William A. Weiler, Esquire, 4762 Liberty Avenue, Pittsburgh, PA 15224, in the full settlement of a claim for personal injuries, arising from an accident which occurred on or about the 18th day of February 18, 1983, at 3538 Butler Street, Pittsburgh, PA, payable from Code Account No. 46, Judgments.

Also,

No. 1628 Resolution Repealing Resolution No. 334, Item C, approved April 10, 1985, which authorized the sale of property in the 17th Ward, being a lot located at Roscoe Street, designated as Block 13-B, Lot 19 to Beverly B. Petrone, for the sum of \$300.00. The reason for the above Repealing resolution is that when the purchaser initiated the sale, she was buying the lot in the belief that the building was being razed. However, it was later determined that because of the manner of construction, part of the double building could not be razed.

Also,

No. 1629 Resolution amending Resolution No. 36, Item J, approved February 4, 1986, amended by Resolution No. 335, approved April 23, 1986, which authorized the sale of property at 121 Cagwin Street, designated as Block 35-J, Lot 157 to John R. Kilkeary and Mary G. Kilkeary, his wife, for the sum of \$500.00. The reason for the above Amendment is to correct the Ward number from the 19th Ward to the 20th Ward. Property is located quite close to the dividing line of both Wards, but is in the 20th Ward.

Also,

No. 1630 Resolution amending Resolution No. 202, Items C, G and J, approved March 19, 1986, which authorized the sale of property in various wards of the City of Pittsburgh. All of the properties are vacant land. The reasons for the above Amendment are as follows: Item C - Amendment is to correct the lot size in plan lot parcel #6 from average 101 to 101.79. Both the Proposal and the Resolution should read: Lot 22.01 X 101.79. Item G - Amendment is to correct the name of the former owner from Grace N. Harper to Grace H. Harger, with notice to Grace A. Harger. Also to establish the fact that this sale is a Sheriff Sale. Sheriff Sale D.T.D. #1511. Item J - The information remains the same, this Amendment is to state the fact that the sale is a Sheriff Sale. Sheriff Sale D.T.L. #173, April Term, 1948, Reference is to parcel 10-K-211, located at 624 Lawson Street.

Also,

No. 1631 Resolution providing for the filing of a petition or petitions for the sale of certain properties, acquired at tax sales in accordance with Act No. 171 of 1984. Properties are in various Wards of the City of Pittsburgh.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 1632 Resolution providing for the issuance of a warrant in favor of Perkin-Elmer Corporation, in the amount of \$780.00 in payment for services furnished for the benefit of the City in connection with repairs to the Spectrophotometer at the Treatment Plant, chargeable to and payable from Code Account 1974, Repairs, Department of Water. (PRIOR APPROVAL GRANTED)

Also,

No. 1633 Resolution transferring \$7,000.00 from Code Account 1920, Salaries, Administration Division to Code Account 1921, Premium Pay, Administration Division, Department of Water. Additional funds are needed to carry us through the fourth quarter of 1986.

Also,

No. 1634 Resolution transferring \$35,000.00 from Code Account 1981, Premium Pay, Distribution Division to Code Account 1983, Supplies \$7,000.00 and to Code Account No. 1986, Materials \$28,000.00. Expenditures for supplies and materials to the present time have exceeded our expectations for the needs of these code accounts and necessitates the transfer of additional funds as specified.

Which were severally read and referred to the Committee on Finance.

Mr. Wagner presented

No. 1635 Resolution authorizing the issuance of a warrant in the amount of \$1,550.00 in favor of Earnest and Willie Wilkerson in payment for emergency sewage work at 1936 Bedford Avenue, 3rd Ward, chargeable to and payable from Code Account, Capital Project Funds 4-27-10-0005-86, Index Code 360073.

Which was read and referred to the Committee on Finance.

Also,

No. 1636 Communication from Glenn Cannon, Acting Director, Department of Public Safety, requesting authorization for Chief John Moran, Fire Bureau, Department of Public Safety to

attend the National Training Resource and Data Exchange (TRADE) Conference in Emmitsburg, Maryland from November 30, 1986 through December 5, 1986, at a cost not to exceed \$250.00, payable from Code Account (PRIST), Bureau of Fire, Department of Public Safety. Permission is also requested for use of a City vehicle. (PRIOR APPROVAL GRANTED)

Also,

No. 1637 Communication from Glenn Cannon, Acting Director, Department of Public Safety, requesting authorization for Detective William Joyce, Bureau of Police, Department of Public Safety to attend the Pennsylvania State Police Electronic Surveillance School at the State Police Academy in Hershey, PA, which will be held October 20 through November 7, 1986, at a cost not to exceed \$750.00, payable from Code Account (DPSTPP), Bureau of Police, Department of Public Safety. (PRIOR APPROVAL GRANTED)

Also,

No. 1638 Communication from Glenn Cannon, Acting Director, Department of Public Safety, requesting authorization for Chief John R. Leahy, Jr., Department of Public Safety, Bureau of Fire to attend the International Society of Fire Service Instructors to be held in Baltimore, Maryland from October 22 through October 26, 1986, at a cost not to exceed \$900.00, payable from the Department of Public Safety, Bureau of Fire Code Account (PRIST). Permission is also requested for use of a City vehicle. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Safety.

The Chair presented

No. 1639 Petition from the residents of the City of Pittsburgh, requesting a public hearing concerning the Mayor's appointment of Glenn Cannon as Director of the Department of Public Safety as well as the validity and appropriateness of the Department of Public Safety. This petition is valid in accordance with Section 320(a) of the Home Rule Charter and invalid in accordance with Section 320(b) of the Home Rule Charter.

Also,

No. 1640 Petition from the residents of the City of Pittsburgh, requesting a public hearing prior to the voting upon or ratification of the Mayor's nominee for the position of Public Safety Director for the City of Pittsburgh. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which were read, received and filed.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1641

Report of the Committee on Finance for October 15, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1534

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Trumbull Corporation (Perry J. Dick, President) in the amount of

\$1,634.65 in payment of Extra Work, being in addition to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street, Phase I; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1535

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Nicholson Construction Company (Peter Nicholson, President) in the amount of \$1,650.00 in payment of Extra Work performed in connection with the Emergency Contract for the Reconstruction of Goettman Street Wall; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1536

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Ace Demolition, Inc. in the amount of \$23,100.00 in payment of the partial demolition of a Three-Story Masonry Building located at 617 Second Avenue, First Ward, City of Pittsburgh; and providing for the payment thereof."

Which was read.

Mr. DePasquale:

Just a technicality, in Bill 1536, the word masonry in the third line, that should be masonry.

The Chair:

Okay, that stands corrected.

Michelle Madoff:

Mr. President, a letter was sent to Mr. Imhoff dated October 15th and today's date is the 20th, that's five days ago.

"Dear Chief Imhoff:

At the Standing Committee of Council held earlier today during discussion of Bill 1536, Councilwoman Michelle Madoff requested that you provide this office with some items of information. Specifically, the Councilwoman wanted you to provide her with 1) the number of letter bids sent out for this demolition project at 617 Second Avenue in the First Ward; 2) the name of the demolition companies contacted; and 3) and explanation of how your department arrived at the estimated cost of the demolition.

Bill 1536 is up for final action on Monday, October 20th.

Thank you for your cooperation."

I have not received an answer; have you, Linda?

Linda Johnson:

No.

Michelle Madoff:

I move we hold the bill until I get an answer.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Also,

Bill No. 1537

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Anderson Equipment Company in the amount of Ten Thousand Two Hundred Sixty Five (\$10,265.00) Dollars for the purchase of a Dialgrade Laser with related attachments to be used for sewer alignment and grade, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1540

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Donna Lee Walker in the amount of \$1,275.00 in payment for nursing services for the Therapeutic Recreation Camp Joy Programs, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1542

A Resolution entitled, "Resolution authorizing the transfer of Twenty-Seven Thousand Eighty-Eight Dollars (\$27,088.00) from Code Account 41, Index Code 004101, Real Estate Refunds, to the Retirees Pension Fund Trust Fund (RPFTF)."

Which was read.

Also,

Bill No. 1543

A Resolution entitled, "Resolution amending Resolution No. 465, Item H, approved June 3, 1986, which authorized the sale of property in the 17th Ward, being 2 vacant lots, located at 1030 Warrington Avenue and #1 Mt. Oliver, designated as Block 14-D, Lots 74 and 76, to John E. MacDonald, for the sum of \$1,000.00."

Which was read.

Also,

Bill No. 1544

A Resolution entitled, "Resolution providing for the filing of a petition for the sale of certain property or properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 1548

A Resolution entitled, "Resolution transferring the sum of Thirty Thousand Dollars (\$30,000.00) from Code Account 41, Index Code (004101) Refunds - Real Estate Tax, Department of Finance, to Code Account 1443-6, Index Code (144360), Police Ingrade Pay, Bureau of Police, Department of Public Safety. This transfer is necessary to cover Police Ingrade payroll for the remainder of 1986."

Which was read.

Also,

Bill No. 1590

A Resolution entitled, "Resolution transferring the sum of \$50,000.00 to Code Account 1044, Index Code 104406, Supplies, Department of the Mayor, City Information Systems from Code Account 1043, Index Code 104307, Miscellaneous Services, Department of the Mayor City Information Systems."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 1642

Report of the Committee on Public Works for October 15, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1574

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the Sixth Street Bridge Lane Control System, and providing for the payment of the cost thereof."

Which was read.

Mr. Wagner:

I would like to request that my comments be brought forward from last Wednesday's meeting on that bill.

(BEGINNING - MR. WAGNER'S
REMARKS ON BILL NO. 1574 -
WEDNESDAY, 10/15/86)

Mr. Wagner:

This legislation goes back a year and one-half ago when we got many parties together here at this table at a post agenda to talk about the traffic problems around Three Rivers Stadium. As a result of that meeting, Public Works, Engineering and Construction got together and went out and purchased lane-control devices for the Sixth Street

Bridge which have been installed and are in use and have been in use for about one month to six weeks. What the lane-control devices do is change the directional flow of traffic before and after events at Three Rivers Stadium. And as a result of it I believe is better traffic flow access in and out of the stadium. The legislation helps to address a serious problem at Three Rivers Stadium and I highly recommend it.

I'd also like to state and compliment in particular, Public Works, and Ed Gergerich who was very involved in it and Engineering — Tony Kubit and Bob Melczak. The reason why I'm making that compliment is that I know after games I've actually stopped and got out of my car and I have seen them there seeing if these devices work at 11:00 p.m. so I know they are out doing their job and I compliment them for it.

(END OF REMARKS)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens for Mr. Grabowski presented

Bill No. 1643

Report of the Committee on Planning, Housing and Development for October 15, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1510

An Ordinance, "Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 16 by changing: From "M3" Light Industrial District to "C3" Commercial District certain property having frontage along PENN AVENUE; DAHLEM STREET and the Port Authority "Martin Luther King" Busway, 11th & 12th Wards."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill

passed finally.

Michelle Madoff presented

Bill No. 1644

Report of the Committee on General Services for October 15, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1589

A Resolution entitled, "Resolution providing for an Agreement or Agreements and/or a Contract or Contracts, or use of existing Agreements or Contracts for the leasing of office space and the necessary services required due to the relocation and housing of the various occupants of the Public Safety Building; and providing for the payment of the costs thereof."

Which was read.

Michelle Madoff:

I have before me a letter that arrived in response to a request, I believe, by Councilman Wagner and I don't know if you received it. It's a breakdown, it says it was given to all Councilmembers, of the cost of the Public Safety Building rehabilitation. Does that satisfy your request, Mr. Wagner?

Mr. Wagner:

Yes it does but it doesn't pertain to this particular —

Michelle Madoff:

But I wanted to be sure it was attached to that bill. I wanted to make sure that's settled then I'll go to this bill.

Mr. Wagner:

That is the bill coming up in the other committee.

The Chair:

The bill you're referring to, Michelle, is coming up Wednesday. We had that recommitted.

Mr. Wagner:

It's Engineering and Construction.

The Chair:

You're right. It's Engineering and Construction, I'm sorry.

Michelle Madoff:

I have it attached to the Committee on General Services. That's why I read from it.

The reason the present bill was held and we're discussing where the Safety Building facilities will be temporarily housed is that we went through a fiasco on this Council and a lot of people took flak for something they didn't deserve to take flak for and that was when we were relocating the Water Department. Nobody bothered to find out what comparative rates were. At that point, I believe Mr. O'Malley supported me, we didn't vote that day and ended up going to a much cheaper facility. It turned out that he had been giving us a six month lease or a two year lease which sounded like a bargain. It would not have been a bargain because once you move equipment and microfiche

and everything into a facility, it doesn't matter if it's a two week lease, it's not a bargain because you're not going to go anywhere.

I didn't not want to have this Council in the same position that we were with the relocation of the Water not knowing where the location would be if we were going to move the Public Safety Department on a temporary basis and I'd ask that all real estate agencies or all alternative sites be evaluated and a decision be made as it was last time by General Services' Mr. Jacoby. I did here from a number of people who wanted to lease their properties, they called me, and I told them it's not my decision, it's not the decision of Council, it is the purview of the Administration and that of Mr. George Jacoby.

A decision has been made. They are going to move — help me folks, it's on —

Mrs. Masloff:

West Carson Street.

Michelle Madoff:

Thank you. I did not know that until today when I called Mr. Jacoby and the reason for it is the closest other property they were considering was \$14 a square foot and \$4 a car a month rental. This is going to be no charge for the cars, the parking comes with it, and I believe it's \$10 or \$12 a square foot, I'm not sure. But it was the cheapest and there's no \$4 for the cars. I think George Jacoby obviously evaluated it and went with what he thought was the best decision.

Now, we're voting, we know what we're voting on, and I think that's important and that's how we ought to be doing things. So I'm going to vote

favorably and recommend it favorably.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 1645

Report of the Committee on Parks and Recreation for October 15, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1541

A Resolution entitled, "Resolution amending Resolution No. 418, approved June 2, 1983 and effective June 10, 1983, so as to authorize and require that Robert Morris College use any grant funds remaining from the Oktoberfest Program for payment of any operating

costs and expenses associated with the Pittsburgh Folk Festival."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 1646

Report of the Committee on Engineering and Construction for October 15, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1565

A Resolution entitled, "Resolution further amending Resolution No. 1283 of 1985, as amended, entitled: 'Resolution adopting and approving the 1986 Capital

Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program' by creating a new line item for the Department of Engineering and Construction, a new line item for the Department of General Services and adjusting the Summary Totals of both Departments."

Which was read.

Also,

Bill No. 1566

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Retrofit/Rehabilitation/Renovations/Asbestos Removal of the Public Safety Building, including necessary work on private property and other work incidental thereof; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1567

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or Supplemental Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the Design and Consultant Management of the Retrofit/Rehabilitation/Renovations/Asbestos Removal of the Public Safety Buildings; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1568

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Architectural/Engineering Services in connection with the design modifications to various fire stations designated to handle the new proposed fire equipment; and providing for the payment of the cost thereof."

Which was read.

Mr. Wagner:

Mr. President and members of Council, in regard to the bills pertain to the Public Safety Building, first of all, I would like my comments brought forward from last Wednesday's meeting for the record, and secondly, due to the magnitude of this project, and it is a massive project involving about anywhere from \$9 million to \$10 million in public funds, and we will have the transfer of all departments, particularly Public Safety within the Public Safety Building to another building as was indicated in previous legislation.

(BEGINNING - MR. WAGNER'S
REMARKS ON BILL NOS. 1565, 1566,
1567 AND 1568 - WEDNESDAY,
10/15/86)

Mr. Wagner:

Gentlemen, the total amount of square feet in the building is about 98,000?

Director McDermott:

It's about 140,000 square feet.

Mr. Wagner:

We talked about the time frame to

build another building and to relocate in the process and do it on the present site. We haven't talked about continuing to occupy the building and build another building on the parking lot to the rear of the building. What would it cost to build a building similar in square footage to the rear of that building on the existing parking?

Director McDermott:

I don't know what size building you're talking about but on a square foot basis, you'd be talking anywhere from \$100 to \$125 a square foot.

Mr. Wagner:

So the cost would be approximately 100 percent more than the existing renovation costs.

Director McDermott:

Than \$49 a square foot, yes.

Mr. Wagner:

What would be the expected use or anticipated life span use of a new building versus a Retrofit of the existing building?

Director McDermott:

Considering the building that we're retrofitting, they would both have the same life expectancy because we're totally refitting it with new mechanicals, new windows, new roof and there's nothing wrong with the structural system of the building.

Mr. Wagner:

In regard to some of the problems of the building as they exist now, particularly entrances, the public being knowledgeable how to access in and out

of the building, the elevator system which is antiquated, how do we anticipate those in the renovation? Maybe what I should be asking — is there a breakdown of the work to be done in the building and is that available?

Director McDermott:

Yes, it is and those are included in the retrofitting and there will be new elevators and there will be new entrances and there will be provisions made for the handicapped and it will be a modern, up-to-date facility when it is completed.

Mr. Wagner:

What will be the main entrance to the building?

Director McDermott:

Off of First Avenue.

Mr. Wagner:

In other words there will no longer be an entrance from Grant Street?

Director McDermott:

No, no, both entrances will exist but the main entrance — one of the plans that we're considering is moving the courts to the lower floor because of its high exposure and need by the public and lessening the public entrance to the upper floors.

Mr. Wagner:

How about the elevator system?

Director McDermott:

All new elevators.

Mr. Wagner:

In other words, we are simply replacing the same size of the elevators or are we going to have larger elevators or are we going to have additional elevators in the building?

Director McDermott:

They will probably be the same size but have a more faster speed for a vertical rise than the present ones and they will be up-to-date.

Mr. Wagner:

Has this plan been reviewed with all future occupants, meaning Police, Fire, EMS, the quarters that they will occupy, whether or not it's adequate?

Director McDermott:

No, that will be done during the design phase — the first seven months of the program as we develop the program. Each department will be met with and a decision made as to what floor they go back onto. We would like to suggest the departments going back into that building on a scale of the higher exposure that they have to the public that they would be on the lower floors; the less exposure that they be on the higher floors, thereby allowing less public entrance into the facility.

Mr. Wagner:

That sounds like a good idea. What is the potential for cost overruns? Looking at the allocation here, total allocation for relocation, relocation, the actual construction work and consultant's fees, I believe we're talking about \$8,500,000.

Director McDermott:

That is correct.

Mr. Wagner:

What additional cost will there be plus that?

Director McDermott:

Into that estimate we have of course as we do on every project set a five percent contingency fee which includes in the estimate and we feel that we can operate within that.

Mr. Wagner:

Director, are you really comfortable looking at that building? I know we had a tour of that building last year and the problems that it has. Are you really comfortable that we will stay within that five percent additional fee?

Director McDermott:

Yes, I am.

Mr. Wagner:

How about the time frame for doing the work?

Director McDermott:

It's very tight and that's why we've gone to construction management on this. The construction managers will be responsible for the entire schedule, the implementing of the move, getting them into their new space, starting the construction of this program and moving the people back in. It will be totally under the control of the construction manager.

Mr. Wagner:

Let's talk about the asbestos removal. During the asbestos removal will the entire building be vacated?

Director McDermott:

Yes, with the exception of the cell blocks and that will be encapsulated so that it will cause no harm to that area.

Mr. Wagner:

How about the 911 system?

Director McDermott:

We're hoping that we could coordinate this with the move to the new emergency operating center -- that the new 911 will be in operation.

Mr. Wagner:

What portion of the costs here relates to asbestos removal?

Director McDermott:

We're talking close to \$1 million.

Mr. Wagner:

And the time frame to do that?

Director McDermott:

That's within the move-out program. The 13 months that the building is vacant the first activity will be the asbestos removal and along with that the tearing out of the old mechanical, the heating, plumbing, electrical and then a construction program following that.

Mr. Wagner:

I would appreciate it if you could

get me a breakdown of those costs as they relate to the project and I have been somewhat negligent on not following up and finding out what the replacement costs would be on a new building. Your figure I believe of 125 percent —

Director McDermott:

A new building would cost two and two and one-half times what a Retrofit is.

Mr. Wagner:

I would appreciate it if you could get me that.

Director McDermott:

Sure.

(END OF REMARKS)

Mr. Wagner:

It's very important, I think, that this Council be kept abreast with this project and I would request that as part of Council voting on this legislation that we receive interim reports, possibly on a quarterly basis, as to whether or not the project is on schedule, whether or not there are cost overruns, whether or not there are any difficulties in completing it within the time frame indicated, and any other changes that may exist throughout the project.

As was indicated by Director McDermott last Wednesday here in Council, he said the project would take approximately 13 months. If that is the case, fine. I would simply like to be made aware of what is happening all along the project.

So, I'm making that request with the vote on this legislation.

The Chair:

How about making it in the form of a motion that we attach a letter to this?

Mr. Wagner:

Well, then in the form of a motion, I request that we, all of Council, be kept abreast with quarterly reports on the status of this project.

Michelle Madoff seconded the motion.

Which motion prevailed.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

I have two items I'd like to discuss. Next week I'll have a bill before Council with reference to vendors. I think what we've done is complicate a very simple issue. I would like to see

vendors have a minimum quality of aesthetics. In other words, I don't want to put a burden on people but I don't want to see dirty trucks that I see in other cities parking all over the city and having dirty little carts. I'm just briefly discussing and bouncing off Council before the bill is completely drafted, if they want to have any input, maybe an umbrella that would be gold and black, the colors of the City, a little cart, something attractive, and I don't believe we should have restrictive hours.

We should have two kinds of vendors; stationary vendors and mobile vendors. Stationary would be like the newsstand in Oakland who has been there for many, many years, stationary, like the floral place right next to Saks Fifth Avenue which doesn't bother me at all. It should be neat and attractive.

Mobile vendors would have the restriction of not being able to be within X number of feet, and I think the footage, don't hold me to it, but I think the present footage is 250 feet off someone in the same business. In other words, you won't have somebody selling pretzels in front of a food store and you won't have someone selling flowers in front of a flower store. But, if there is a flower vendor in a stationary source who pays a stationary license which is revenue for the City, and a building becomes vacant and a flower shop moves in, they move in with full knowledge that there is a vendor there selling flowers.

I don't believe we should enforce hours because when I leave here to go to a meeting sometimes and I don't have time to have dinner, I want the right to buy a pretzel to eat in my car to go to a meeting.

And I think the people who are out in the street today are out there because they don't have jobs. They're not out

there because they love to be out in the cold and the heat and what have you. They're there because it's like selling apples during the Depression; they're trying to make a living. And for us to put restrictive hours on it is absurd.

I don't believe we have congestion because of the vendors; I think that's nonsense. I think we can exercise some discretion as to common sense. If somebody becomes a problem we can deal with that on an individual basis. I don't see it as a problem. Other cities have it and it is not a problem. I don't think we have to go around the country to find out what other people are doing. This city set the standards in many areas, in coke oven maintenance, noise pollution, although we never enforced it because we never had any money, and we also set the standard for the country on lighting of garages and security guards and escorts. Instead of being followers I think we ought to help those people who are not working today who have to be vendors and not put undo hardships on them.

My bill will be coming in next week and if anybody has anything to add to it, Rick is working on it and I'm sure that he would be open to any input. He does excellent work. That's one item.

The other item, I was called by a number of the television stations and asked if I would go on the news and comment on Mr. Cannon and Mr. Norton. My feelings were that what has happened with Mr. Norton is history and that what is going to happen with Mr. Cannon is going to be based on our knowledge of him and our assessment of his performance.

Mr. Cannon informs me, and I've had some long discussions as others have, that he is going to be meeting with the unions and representatives of all the

unions. He's already met with Chief Leahy because, as you know, there's a problem with the City Administration under law meeting with the union. So, they need sort of a catalyst and I've offered to be that and I'm sure that you would as well, Mr. Woods, to bring the parties together so that we don't go out and order the wrong kind of equipment.

In the Public Safety issue, the one thing that hasn't been resolved, and that's what they were particularly trying to corner me on, is how come we pay for this expensive report but nobody has had access to it. Well, it seems that the Public Safety Department, the acting director got it on Wednesday and he's taking a few days to look at it himself, and I am making an official request today that Councilmembers also have that report and that we get it as soon as possible so that we can evaluate it before we confirm or not confirm Mr. Cannon so that we can ask some intelligent questions. That was a report that cost a lot of money. I think we're entitled to it and I would hope my colleagues would support right now that we get a copy of that report, today if possible.

Mr. Givens:

I agree, Mr. President. I think we all should have a copy of that. In fact, there shouldn't be anything secret in any report, be it derogatory or otherwise. It should be released. It's a public document, it's public money that was used to have that particular fund and that particular readout. I didn't even vote for it at the time and I hope that they can say something there that I don't already know. I doubt it very much. But it is public money that was used for it and that paid for the bill and the public should be able to look at it including every Councilmember.

Mr. DePasquale:

Mr. President, in regards to Mr. Cannon, if we have the hearing on Mr. Cannon that I believe was introduced, the request for a hearing, was that from the public or was that the Council President? Okay, so we're automatically going to have a hearing on Mr. Cannon. Are we still going to interview him on Wednesday?

The Chair:

We're going to interview on Wednesday and confirm him on Monday. The public hearing, we got a letter from some attorney that Mr. Ferlo engaged. I don't agree with the opinion —

Mr. DePasquale:

That's what I'm asking. Is there a petition signed by 25 people?

The Chair:

We just introduced two. But we don't have to, according to our Solicitor, have that hearing. We can set that hearing anytime. We can still go ahead and interview Mr. Cannon and confirm him prior to that hearing. That is not legislation, it is an appointment. It's altogether different from legislation.

Michelle Madoff:

Are you saying that you have hearings on legislation but not on appointments? Is that correct?

The Chair:

You have to have a hearing on anything that has 25 signatures, any subject.

Mr. DePasquale:

It makes no sense whatsoever to confirm someone if we're going to have a hearing. Either we don't have the hearing or we confirm him. One or the other.

The Chair:

Mr. DePasquale, I'm going to try to answer you and if anyone has any remarks to make, please raise your hand and I will recognize you.

Jeep, we're going to go ahead with normal procedure and if anyone, we have two petitions, I will schedule a hearing. But I will tell you now it will be after the confirmation or rejection.

Michelle Madoff:

Point of clarification. Are you saying that the law requires us to have a public hearing on general legislation prior to the voting on the bill but does not require a public hearing on an appointment? An appointment is basically an administrative function of the Administration but in this case we are voting. I'm a little confused; could you clarify that for me?

The Chair:

Yes. According to the City Solicitor, it's an appointment, it's not legislation. We still have to have a hearing because there's 25 signatures requesting one —

Michelle Madoff:

Do you mean if it was the sex life of the tsetse fly we'd have to have a hearing.

The Chair:

We'd have to have a hearing. But, in no way like regular legislation, would these 25 signatures hold up the appointment of Mr. Cannon or the rejection of Mr. Cannon.

Mr. Pollock:

There was a Post Gazette editorial a few months ago which was entitled, "True To Its Image" and I'd like to congratulate you on once again keeping this Council true to its image. So that the public can understand exactly what is happening, you have stated that you will not hold a public hearing and give the citizens of this City the right to ask questions and to be heard prior to the vote on this appointment. Is that accurate?

The Chair:

Well, Mr. Pollock, from your tone and your remarks, your message is coming across. That is accurate, right.

Mr. Pollock:

I'm just asking you to clarify exactly what is going to happen.

The Chair:

I think if you had been paying attention when I just spoke, and Ms. Madoff and Mr. DePasquale, you'd understand very clearly.

Mr. Pollock:

I understand. I'm saying the public might have missed it and I want to make sure the public understands completely.

The Chair:

Well I think you understand very

clearly, Mr. Pollock.

Mr. Pollock:

Well I think that Council should withhold their vote until such time as the hearing.

The Chair:

Well Mr. Pollock, you will have an opportunity to cast your vote a week from today and I suggest you do that.

Mr. Wagner:

Mr. President and members of Council, in regard to the consultant report, you have probably noticed recently, particularly in the media, that they have been more in tune about requesting that report. The request for the report goes back to May of this year when I verbally requested the report here at this Council meeting, an interim report, and then the final report at the end of May which was the time in which the report was to be completed, May 31st. I made a formal request here in front of Council and we sent a letter requesting that report and never received it. In July I put forth a piece of legislation requesting an investigation and one of the five items within that was the whereabouts of the consultant report. I indicated at that time that I was open to even amending that legislation, up or down, to get it passed here in this Council.

I thought at that time the report was very important, not simply to have a report in your hand but because the report was to be the premise for change within the Police Bureau. We found out that there has been considerable change taking place since the creation of the Public Safety Department, and still no report. Well, I found out factually this past Friday that the report is in the

hands of the Public Safety Department in a finished form and I requested a copy, and, as a matter of fact, this morning I spoke with Mr. DiNardo and he said I would have a copy of the report very soon. I would suggest that if any one of you wanted to obtain a copy, you would also make a similar request.

I think it's very important and I think it's important because we need to determine if we properly allocated and spent that \$84,000 or \$90,000. Not only that, we need to determine if the report is simply going to be a reflection of what has happened in the past. I personally feel, without even looking at the report, that portions of it are invalid due to the fact that it was never supplied within a timely fashion and the changes took place prior to its actual inception and it being in our hands.

So, I would simply state that once I get the report and once I review the report, I think this Council as a whole should take a closer look at it and determine if it is of value. If it isn't of value, I think we should be making some recommendations, maybe even including holding back on final payment on the report. I only mention that because all of you, I'm sure, may be interested in getting it and if so I would suggest that you make a request for it.

Michelle Madoff:

I don't like to kick anybody when they're down and I really think, as I said earlier, the issue is a matter of history, Mr. Norton is history. That report, unfortunately, is not history because it's something that exists today. It was ordered by Mr. Norton and I must admit that I was one of the people who had great hopes for Mr. Norton; I thought he was going to be a great asset to the City. I've been proven not to be correct for whatever reasons, maybe personal

problems that Mr. Norton had or maybe political reasons; I don't know the reasons. He may be a fine director somewhere else but obviously it's not going to work here and he's no longer here and, as I keep repeating, it's history.

But we do need to get on with giving the public a sense of security and finding out why we don't have more police officers. Are we going to get the kind of service and protection that our taxpayers and citizens are entitled to?

I'm not here to be a spokesperson for Mr. Cannon but I sometimes wonder if I had not been actually an intermediary between the police and the firemen at that time who didn't want one department over the other. If Mr. Cannon had started out maybe we wouldn't be in this mess today.

You know, it doesn't encourage people who come to work for the City and become public servants when somebody is brought in from the outside and I think that was mentioned earlier, to know that they can't aspire to the highest office within their own department. I think we have an obligation to give those people an opportunity, be it a Mr. Cannon, a DeRoy, a DiNardo, or whoever that person might be. I don't know what the Administration's thinking was because unfortunately we don't have enough meetings with the Administration to know what their thinking is to know why we have the problems that they feel they need to resolve. I think there is validity on both sides.

I am concerned, Mr. President, of the appearance, and you can see where I'm coming from and my feelings, but I am concerned with the appearance that Mr. Pollock raises. If we go ahead and confirm, without giving the public an opportunity to say what they want to say

— We know how we feel, we know what's going on, we know records. I'm going to go on record right now that I think Mr. Cannon is a very capable, admirable, administrator and if we had to vote today I'd vote for him. But I still believe that we should give the public a chance to be heard because, as the Mayor once said to me when I had one of my fights with him, that when he was on Council he saw things from one perspective and when he got to the other seat its a different perspective.

Sometimes the public doesn't understand what we're voting on. They don't understand, for example, on the Stadium. Whether we voted the \$21 million or not, we had to pay that debt service anyway and we had to pay to repair that stadium. We didn't take money that we weren't going to have to pay in any event. Maybe we made things better. And I think sometimes a public hearing where there's some interaction puts to rest a lot of appearances that we are trying to do something that we are not willing to do up front and to try to do something the deceptive way. And I'm wondering if we couldn't, I mean, I realize there's a regulation of X number of day, is that right, 10 days, is there any way of waiving that to let the public come in on Wednesday? Is there any way of doing that? Is there any way of letting the union people be represented on that day? Could anyone ask a representative of the union to come to the table if no one objects? We could but as long as someone objects they can't come.

I'm trying to think of a way of getting on with the job and still not holding up the process. The only thing I can say is, it may not be a bad idea to wait another week and get that notice out today. Do you feel very strongly about not doing that?

The Chair:

Right.

Michelle Madoff:

How does Council feel about it?
Could we ask that question?

The Chair:

I set the dates.

Michelle Madoff:

So you're going to force us to vote
before the public hearing.

The Chair:

Right. You're going to vote yes or
no.

Michelle Madoff:

You know I'm going to vote yes
because I believe it's the right person.
But I still think that is end-running the
public and I just wonder whether you
would have any objections to putting it
to a vote of this Council and yielding to
the Council vote.

The Chair:

No, it's my duty to set hearings,
time and places, and I will do that.

Mr. Wagner:

Mr. President, I have a request.
Due to the controversy surrounding the
Public Safety Department, and some
controversy surrounding the appointment
of Director Cannon, I would request
whether or not this will occur. I have
made several requests similar in the past
that the Mayor be present at the
confirmation to ask any questions
involving the Public Safety Department

and direction, seeing that that is who Mr.
Cannon reports to.

Michelle Madoff:

I don't have any problem with that;
I think it's a good idea.

The Chair:

Okay, I'll ask him, Jack. We can
request him.

Mr. DePasquale moved to excuse Mr.
Grabowski for absence from the meeting.

Mrs. Masloff seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

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Monday, October 27, 1986

No. 41

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, October 27, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. DePasquale:

I wonder if Joyce Teese from the School for the Blind Children in Western Pennsylvania, Harold Dom for the Blind Association, and Mr. Gene Scheck who

really sponsored and pushed this bill would come up here please.

I also would like to recognize in the audience, supporters Helen Sharkey from the Garfield Area Citizens Association, and two organizations, the Golden Triangle Council of the Blind and the Western Pennsylvania Council of Citizens with Law Vision.

Mr. DePasquale presents

No. 1694 WHEREAS, the Preamble of Pittsburgh's Home Rule Charter provides, in part, that as a responsible City, Pittsburgh "seeks to ensure that all of its citizens' needs are met, whether from public or private, city, county, state or national sources;" and,

WHEREAS, we must take the necessary safety measures to protect all of our citizens using public streets from injury or fatality; and,

WHEREAS, the institution of a "Braun Walk", or "Bell System", coordinated with the traffic lights, would signal blind persons, senior citizens, and the handicapped by the ringing of a bell to proceed across an intersection; and,

WHEREAS, Braun Walk systems have been used effectively for several years in other municipalities throughout the Commonwealth of Pennsylvania to ensure maximum pedestrian safety and encourage the blind, aged, and handicapped to move freely about streets without fear of serious accidents;

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recommend that the Mayor appoint a task force to evaluate the institution of a Braum Walk System for crosswalk intersections in the City of Pittsburgh.

Mr. DePasquale moved to adopt the resolution.

Mr. Givens seconded the motion.

Which motion prevailed.

Mrs. Masloff:

Mr. DePasquale, some years ago we had a public hearing on this very matter and the blind people came and told us then that they didn't want the bell system, that it was disruptive, that their seeing eye dogs couldn't manage. Now maybe there has been some change in policy but you were here when we had that public hearing.

Mr. DePasquale:

There has been, Sophie; in fact, when Gene Scheck called me and came in and talked to me, I told Gene the very thing that you said, that the Blind Association and the School for the Blind had reservations in regard to some conflict with the ringing of the bells or what have you. But I've talked to the Blind Association and I've talked to Dr. Simon, the President of the Western Pennsylvania School for the Blind, and Joyce Teitz is here representing her. They have no more problems with it and they would like to see it go ahead.

Ms. Teese:

I'm Joyce Teese representing the Western Pennsylvania School for Blind Children and it's our feeling that we

would support the resolution to form a task force to study the possibility of installing the audible traffic signals at various intersections in the City of Pittsburgh. It's our feeling that this can be a very helpful tool to be used by blind persons as well as other physically handicapped and elderly persons but we want this to be applied in a reasonable manner, giving consideration on a case by case basis to the intersections under consideration.

Michelle Madoff:

Wouldn't you be concerned if there was a vendor or someone who had a similar kind of bell that would distort for the blind what they're hearing?

Ms. Teese:

That would be one of the issues to be studied, in other words, having to come up with an audible signal which would be unique and not able to be confused with other bells, other signals.

Other areas have used, in addition to the bell systems, chirping systems and so on and this would be something that could be considered so that you wouldn't have that potential confusion.

Michelle Madoff:

We'll tell Councilmembers not to chirp.

Mr. Dom:

Thank you for allowing me to speak. I do represent the Pittsburgh Blind Association and I also represent a committee on pedestrian safety which was newly formed a couple months ago. This committee is comprised of various agencies, schools, and neighborhood groups in the Bellefield area. It came out of a concern of the different

crossings there, especially at Fifth and Craig.

We are here, of course, today to certainly support a task force on this issue. I think it's necessary to have a task force to study the problems, the various views, as was just mentioned here, the various interest groups that are concerned, and also the effectiveness of this kind of system as implemented elsewhere.

So, I think a task force could be very helpful in making a decision as to how helpful this kind of a system would be here in Pittsburgh and certain areas of Pittsburgh.

I would also ask that if a task force is organized, that the various interest groups, agencies, consumers, etc., would have an opportunity to have a voice in the selection of the members of that task force, since there are so many different groups involved.

Secondly, I would ask also that perhaps the task force would consider other safety issues, such as our committee is entertaining, and that is the different phases and timings of crossing signals, right turn on red, and different other kinds of safety issues that concern both blind, elderly, other disabled groups, and even small school children.

I would also ask that perhaps the task force work along with and in cooperation with the Mayor's Committee on Accessibility since that is another vehicle that is considering the different issues on accessibility and pedestrian safety.

I thank you very much.

Mr. Scheck:

Thank you. I'm very appreciative of Councilman DePasquale and his personal staff for the preparation of this resolution which I feel is very important. I also want to very much express my appreciation to all members of Pittsburgh City Council and the City Administration for sharing this resolution with me.

This issue is long overdue, I feel, for the City of Pittsburgh. The sooner we implement this bell system at various crosswalks, the sooner we will begin to see very positive results that definitely will alleviate a lot of personal injury and fatalities which will definitely take place.

I thank you for your time today. Thank you.

Mr. Givens presents

No. 1696 WHEREAS, Landmark Savings Association is a community-conscious financial institution that has developed a style of local involvement consistent with its corporate slogan: "People to People Banking"; and

WHEREAS, for the past year the Landmark Savings Association has sponsored closed-captioned news on KDKA for the hearing impaired as a generous and compassionate investment for these handicapped people in the greater Pittsburgh area; and

WHEREAS, in addition, Landmark is both a local and national leader in providing banking services, seminars, and programs to the hearing impaired such as free interpreters, home banking, and employment opportunities; and,

WHEREAS, this corporate policy of special care for the hearing impaired has

touched the lives of these people, their families, and the local medical community;

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby commend the people at Landmark Savings Association for enriching the Pittsburgh Community with their special charitable contributions and policies on behalf of the hearing impaired.

Mr. Givens moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Givens:

I'd like to have Mr. Richard Eshleman who is President and Chief Executive Officer say a few words.

This particular service, I have become aware of, costs, in putting this on KDKA television, some hundreds of thousands of dollars per year and reaches out to the total viewing audience of KDKA television which encompasses, as we all know, parts of Eastern Ohio, West Virginia, and the State of Pennsylvania.

Mr. Eshleman:

Thank you very much, Mr. Givens. I won't take much of your time; I know you have a busy agenda.

Some people are interested in how this technology works, so I might just describe it. It is a miracle, I think, of wedding TV, electronics, and court stenography, such as this young lady here is doing. There is a person in the news reporting studio who does an operation much as she is doing now. The output of

that, instead of going onto this narrow paper tape, goes directly to a computer which in turn instantaneously converts the message or words being spoken essentially simultaneously. That script then is played out on a TV screen similar to that which we've all seen in the way of hurricane warnings or severe weather warnings. That lineage on the TV screen is accessible only to the hearing impaired who buy a converter box, if you will, which raises the message being sent out with the TV signal, raises it on their screen so that they can see it.

I've taken more time to describe the operation than what it takes to occur. It's seven seconds between the time we see the newscaster and the time at which the hearing impaired person can read the signal coming across.

There are thousands of people in our area, hearing impaired, who have this service and I, frankly, was not quite aware of the vividness of this service. If you wish to demonstrate for yourselves the hearing impaired problem, go home tonight when you listen to your news, turn the volume down to zero, and sit and watch for seven seconds and I think you will see the problem.

Thank you very much, Mr. Givens.

Mr. Givens:

On behalf of the Council of the City of Pittsburgh, we want you to take this resolution back to Landmark Savings and put it in the appropriate place where people can see the fine work that your company is doing.

Mr. Pollock:

May I ask you a question, sir? It seems like there would sometimes be, because of the delay, if they're showing something like a newsreel or a photo, it's

going to be kind of confusing. Obviously, the news stations have their scripts already prepared and just read it off monitors. Is there any analysis or study of possibly having it so that it occurs at the same time in the future or would that be too expensive?

Mr. Eshleman:

I don't think it's too expensive but I think the problem is a mechanical one of getting the message into a carrier wave that can go out over the TV screen. Not all of the message goes out; that is, there are words skipped. You don't need "a" or "the boy" or "a boy"; you need "boy", "boy bites dog" or whatever it is. But the essential message goes out simultaneously.

You've all seen movies that are out of sync with the audio section and it's rather bothersome. The effort is made in such a manner to keep up with the mouth and the physical expressions so that you get crying when crying should occur and so forth. This is a system that works and it works well.

The Chair:

Thank you very much.

Mr. O'Malley:

This resolution is honoring the Variety Club and I'd like to ask Mr. Sklar and Mr. Woody McDaniels if they would come up, please. Mr. Frank Sklar is President of the fundraising for the handicapped for the Variety Club and Mr. McDaniels is the Chief Barker of the Variety Club.

Mr. O'Malley presents

No. 1697 WHEREAS, on October 10, 1927, in the City of Pittsburgh Tent #1, the Mother Tent of all Variety Clubs,

was formed; and

WHEREAS, the Variety Club now consists of 56 individual Tents and has over 12,000 members; and

WHEREAS, Variety around the world has raised and spent almost a half of a billion dollars; and

WHEREAS, Tent #1 has contributed its share through Camp Variety for Spina Bifida in Bradford Woods, the Variety Rehabilitation Center in St. Francis General Hospital as well as the Speech Clinic and Brace Shop in that institution; and

WHEREAS, the Ladies of Variety have provided a very substantial part of the Handicapped Children's Funds; and

WHEREAS, the dedication of the Variety Club to children has been an excellent example of true commitment.

NOW, THEREFORE,

BE IT RESOLVED, that the Members of Pittsburgh City Council hereby recognize and commend the unending community resolve and dedication of the Variety Club, Tent #1.

Mr. O'Malley moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Sklar:

Thank you, Councilman O'Malley, and thank all of you lovely ladies and gentlemen of the City Council of Pittsburgh and I'm saying thank you on behalf of all the officers and members of Variety Club Tent #1.

I think it's only fair to tell you, in case you don't know, Variety Club Tent #1 is the beginning of Variety Club which has spread throughout the free world and has become the largest fundraiser for handicapped children in the entire free world. This all started as a result of a baby, a little girl, Cathy Variety Sheraden, being abandoned by her mother at the Sheraton Theater in East Liberty 59 years ago.

This year the International Variety Club officers are going to come to Pittsburgh as a salute to Tent #1 in honoring our outgoing Chief Barker and two of our prominent citizens, Lester Hamburg, who I'm sure most of you know. Also, Thomas Kaywood, the President of West Penn Hospital is going to be honored at our dinner on November 7th at the new Fox Chapel Yacht Club in Fox Chapel. If any of you are interested in coming, and I heartily encourage all of you —

Michelle Madoff:

Move it in the City; we need the money.

Mr. Sklar:

It's going to be at the new Fox Chapel Yacht Club. We're going to also have present that little baby girl, Catherine Variety Sheraton, who is now 59 years old and is going to spend the evening with us. If any of you are interested, you can get ticket information by calling the Variety Club Office in Downtown Pittsburgh at the Warner Center, 281-1163.

It is my pleasure to introduce to you today the Chief Barker of the Variety Club Tent #1, Norman "Woody" McDaniels.

Mr. McDaniels:

Thank you past Chief Barker Frank and thank the Chairman.

It is indeed a pleasure to be here in front of all the honorable members of Council. We do thank you from the bottom of our hearts and our children, the Spina Bifida kids, thank you from the bottom of their hearts. And this is what it's all about. We had over 100 children at our Camp Variety for Spina Bifida this summer and we are supporting Camp Variety for Spina Bifida and every little bit helps.

Thank you very much again.

Mr. DePasquale presented

No. 1648 Resolution further amending Resolution No. 1283 of 1985, as amended, entitled, "Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program," by creating a new line item and adjusting the Summary Total. This amendment will provide sufficient funds for the design of the Emergency Operation and Communications Center, Bureau of Police, Public Safety Department, located at the City Warehouse.

Also,

No. 1649 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the Design of the Emergency Operation and Communications Center at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account EC 86-90.

Also,

No. 1650 Resolution amending Resolution No. 251, effective April 2, 1986, entitled: "Providing for a Contract or Contracts, or use of existing Contracts for Renovations to a portion of the Third Floor, Public Safety Building, Police Administration Offices; and providing for the payment of the cost thereof," by amending the title and by decreasing the total project allocation by \$65,000.00 from \$265,000.00 to \$200,000.00, chargeable to and payable from Code Account EC 85-71. This amended Resolution will now cover the renovations to portions of the City Warehouse to provide for the relocation of the City's Photographic Laboratory of the Public Safety Department and to remove and relocate the existing photographic equipment from the Public Safety Building to the City Warehouse.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. DePasquale moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 1651 Resolution Repealing Resolution No. 298, effective April 16, 1982, entitled: "Providing for a Contract or Contracts or the use of existing Contracts for repairing the artificial grass surface at Dean Field at a cost not to exceed \$9,000.00, chargeable to and payable from Code Account PR 82-10 Dean Field, Gutter Replacement, in the Department of Parks and Recreation (Engineering & Construction)."

Which was read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 1652 Resolution providing for authorization to advertise for, award and enter into a Contract, Contracts, or use of existing Contracts for the purchase and/or installation, etc., of equipment, services, materials and supplies for emergency auxiliary air conditioning units for the Bureau of Cable Communications, Department of Public Works, at a cost not to exceed \$17,000.00, chargeable to and payable from the Community Communications Trust Fund, Bureau of Cable Communications, Department of Public Works.

Which was read and referred to the Committee on Public Works.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

No. 1653 Resolution granting unto Edmond G. Tozzi, 965 Deely Street, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a planted area and steps on a portion of the sidewalk of Deely Street in the 15th Ward of the City of Pittsburgh.

Also,

No. 1654 Communication from

Louis Gaetano, Director, Department of Public Works, requesting authorization for Lawrence Staab to attend the 1986 Video Expo Seminars and Exhibits in Orlando, Florida from November 30 through December 3, 1986, at a cost not to exceed \$1,175.00, payable from the Community Communications Trust Fund.

Which were read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1655 An Ordinance amending the Text of the Pittsburgh Code, Title Nine, Zoning, by Redefining the term "Restricted Access Highway"; by adding a fifth statement of intent under the Purpose of Signs Chapter; by Redefining the Definition of a "V-Type" advertising sign; and by Redrafting the regulations for advertising signs with more restrictive provisions.

Also,

No. 1656 An Ordinance amending the "Zoning District Map" of the Pittsburgh Code, Title Nine, Zoning, by: Designating 40 additional roadways as "Restricted Access Highways" which include certain specified bridges, public transit right-of-ways, interstates and public streets.

Mr. Grabowski:

Mr. President, on those two zoning bills, I think it is required by law to have a public hearing; therefore, I move that we set public hearings for both of them.

Mr. DePasquale seconded the motion.

Michelle Madoff:

Comment on the same subject. My understanding is that there is to be a meeting of all concerned parties to come

up with some kind of compromise before it hits Council, even before our public hearing, because the way the bills are drafted right now presents some problems. I would suggest that in setting your date, you might want to talk to the parties so that we don't have a hearing and then they amend it and then we go to another hearing and then they amend it and then we go to another hearing.

The Chair:

Thank you.

Also,

No. 1657 Resolution amending Resolution No. 780, effective September 22, 1986, entitled: "Providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the Community Self-Help Beautification and Community Gardening Programs on highly visible vacant lots in Community Development Neighborhoods", so as to increase the amount allocated by \$33,967.31 from \$17,000.00 to \$50,967.31.

Also,

No. 1658 Resolution amending Section 11 of Resolution No. 1267 of 1977, as previously amended in 1978, 1979, 1980, 1981, 1982 and 1986, entitled: "Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program", by decreasing a line item in the Department of City Planning and increasing the Unspecified Local Option line item.

Also,

No. 1659 Resolution amending Resolution No. 1112, effective December

20, 1983, entitled: "Providing for an Agreement or Agreements with the Port Authority of Allegheny County for the operation of the Model Neighborhood Reduced Fare Bus Loop Project for the period May 1, 1980 through April 30, 1981, so as to decrease the amount authorized from \$310,000.00 to \$304,541.49 (-\$5,458.51) and to reduce the time frame of the Agreement. The balance from this 1980-81 Agreement (\$5,458.51) will be used to help fund the 1986-87 Western Pennsylvania Conservancy - Community Gardens Program.

Also,

No. 1660 Resolution amending Resolution No. 355, effective April 20, 1979, as amended by Resolution No. 406, effective May 7, 1982; and as amended by Resolution No. 1113, effective December 20, 1983, entitled: "Providing for an Agreement or Agreements for the Reduced Fare Bus Project in the Hill District and Oakland and providing for the payment of the cost thereof," so as to decrease the amount allocated from \$356,533.00 to \$341,321.01 (-\$15,211.99) and reduce the time frame of the Agreement. The balance from this 1979-80 Agreement (\$15,211.99) will be used to help fund the 1986-87 Western Pennsylvania Conservancy - Community Gardens Program.

Also,

No. 1661 Resolution amending Resolution No. 502, effective June 18, 1986, entitled: "Providing for an Agreement or Agreements with Miryam's, Inc., a non-profit organization and the Urban Redevelopment Authority of Pittsburgh, for the rehabilitation of a facility to be used to house the homeless, at a cost not to exceed \$15,000.00, chargeable to and payable from the 1985 Community Development Block Grant

Program, "Unspecified Local Option" (CC-85-01), so as to add administrative assistance as an allowable contract cost.

Also,

No. 1662 Communication from Robert Lurcott, Director, Department of City Planning, requesting authorization for John Burke to participate at the National Main Street Center Urban Demonstration Program Conference in Washington, D.C. from November 11-13, 1986, at a cost not to exceed \$600.00, payable from Code Account No. 1985 CDPA. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 1663 An Ordinance amending and supplementing the Pittsburgh Code, Title Seven, Business Licensing, Article III, Sales Business, Chapter 719, Vendors and Peddlers, Section 719.05, Use of Streets, and Section 719.06, Prohibited Areas, by providing for the right to stationary peddling and vending locations throughout the day and regulating peddling and vending in the proximity of related business establishments.

Which was read and referred to the Committee on Public Safety.

Mrs. Masloff presented

No. 1664 Resolution providing for a license to Duquesne Light Company to install, use, operate, maintain, repair, renew and finally remove at its sole cost and expense, one (1) pole, together with crossarms, cables and wires, two (2) anchors, guys and necessary appurtenances on City property, Schenley Park, 14th Ward, designated as Block and Lot 27-S-150, in connection

with electrical service to Pennsylvania Department of Transportation.

Which was read and referred to the Committee on Parks and Recreation.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Also,

No. 1665 Resolution authorizing the issuance of a warrant in favor of Richard D. Owens Transportation Services, Inc. in the aggregate amount of \$3,007.52 in payment for transportation services provided for handicapped participants, chargeable to and payable from Code Account 1844, in the amount of \$1,930.88, and Code Account SPPTF, in the amount of \$1,076.64, in the Department of Parks and Recreation.

Which was read and referred to the Committee on Finance.

Also,

No. 1666 Resolution providing for the letting of a Contract or Contracts or the use of existing Contracts for the furnishing of kitchen equipment at the Pittsburgh Aviary at a cost not to exceed \$13,000.00, payable from the Aviary Trust Fund, in the Department of Parks and Recreation.

Also,

No. 1667 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting

authorization for Debra McGuire to attend the "Zoo University Connection: Collaborative Efforts in the Conservation of Endangered Primates" at the Milwaukee County Zoo in Madison, Wisconsin from October 14-17, 1986, at a cost not to exceed \$690.00, payable from Code Account No. 1852, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Also,

No. 1668 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Paula Strasser to travel to the Metro Toronto Zoo, Toronto, Ontario, Canada, to transport birds to and from the Zoo and to observe their graphics systems from September 8-11, 1986, at a cost not to exceed \$200.00, payable from the Aviary Trust Fund. (PRIOR APPROVAL GRANTED)

Also,

No. 1669 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Hosea Holder and Michael Klinger to attend the Medic First Aid Instructor Trainer Course in Jamaica, New York on October 15, 1986, at a cost not to exceed \$650.00, payable from Code Account No. 1801, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Also,

No. 1670 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Michael T. Radley and Robert W. McFarland to attend Road Race Management's Race Director's Meeting and Trade Exhibit in Washington, D.C. from November 14-16, 1986, at a cost not to exceed \$1,000.00,

payable from Special Parks Program Trust Fund.

Also,

No. 1671 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for David Fleeger to be keynote speaker and marketing seminar leader at the Pennsylvania Local Arts Network, 1986 Annual Conference at Pennsylvania State University, State College, Pennsylvania from November 9-12, 1986, at no cost to the City. Permission is also requested for use of a City vehicle.

Also,

No. 1672 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Robert Wagner to attend the AAZV Annual Meeting in Chicago, Illinois from November 2-7, 1986, at a cost not to exceed \$600.00, payable from Code Account No. 1852, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Also,

No. 1673 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Robert Wagner and Dennis Maxim to attend the African Rhino Conference in Cincinnati, Ohio from October 26-28, 1986, at a cost not to exceed \$750.00, payable from Code Account No. 1852, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Also,

No. 1674 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting

authorization for Diane N. Roth, Duane Ashley, and Karen L. Jewett to attend the Pennsylvania Local Arts Network 1986 Annual Conference in State College, Pennsylvania from November 9-11, 1986, at a cost not to exceed \$392.00, payable from Code Account No. 1838, Miscellaneous Services.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 1675 Resolution providing for the issuance of a warrant in the amount of \$4,736.07 in favor of Gondelman Baxter McVerry Smith Yatch & Trimm for legal services rendered to Robert Rade Stone in conjunction with Civil Action No. 85-3727, filed in the U.S. Court of Appeals for the Third Circuit, payable from Code Account No. 1075, Miscellaneous Services, Department of Law.

Also,

No. 1676 Resolution providing for the issuance of a warrant in the amount of \$12,721.46 in favor of Titus Marcus & Shapira for legal services rendered to Ronald C. Schmeiser, Director of Finance, in conjunction with Civil Action No. 85-1525, filed in the United States District Court for the Western District of Pennsylvania, payable from Code Account No. 1075, Miscellaneous Services, Department of Law.

Also,

No. 1677 Resolution providing for the issuance of a warrant in the amount of \$1,250.00 in favor of Allegheny Business Machines, Inc., for the purchase of an additional 22 Megabyte Network Terminal for the current Microfilm System in the Controller's Office,

chargeable to and payable from Code Account 1051, Equipment.

Also,

No. 1678 Resolution transferring \$5,000.00 from Code Account No. 1100, Miscellaneous Services to Code Account No. 1101, Supplies, Department of Personnel and Civil Service Commission. This Resolution is necessary for the impending expenses of training materials for our City wide training programs.

Also,

No. 1679 Resolution providing for an Agreement or Agreements for specialized professional services in connection with Labor Management Committee training including but not limited to training in decision making processes, group dynamics, and labor management committees implementation and procedures, at a cost not to exceed \$4,000.00, chargeable to and payable from Code Account LMCPTF, Department of Personnel and Civil Service Commission.

Also,

No. 1680 Resolution authorizing the City of Pittsburgh to enter into a professional services Agreement or Agreements with professional money management firms for the management of the assets of the City of Pittsburgh Pension Reform Trust Fund #2, at an annual cost not to exceed \$200,000.00, chargeable to and payable from the City of Pittsburgh Pension Reform Trust Fund #2.

Also,

No. 1681 Communication from Raymond Johnson, Jr., Deputy City Controller, requesting authorization for

Abiathar Bishop to attend the "Government Training Program" in Atlanta, Georgia on October 27-29, 1986, at a cost not to exceed \$1,400.00, payable from Code Account No. 1048, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Also,

No. 1682 Communication from Raymond E. Johnson, Jr., Deputy City Controller, requesting authorization for himself, Jeanne Terrence, Lois Brown, Kathy Kraus, Tony Tedesco, Bill Gedman, Patrick Cunningham, Nancy Perelman and Mike Parks to attend the GFOA One Day Professional Development Course - "Multi-Year Budgeting Preparation and Implementation" at the Greentree Marriott, Thursday, October 30, 1986, at a cost not to exceed \$270.00, payable from Code Account No. 1048, Miscellaneous Services. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 1683 Resolution transferring \$100,000.00 from Code Account 1977, Utilities to Code Account 1926, Municipal Obligations for Non-City Water Agencies, Department of Water. This transfer is needed to offset an increase in useage of water service by City residents serviced by Western Pennsylvania Water Company, Wilkingsburg Penn Joint, and West View Water Authority, as well as increased rates for 1986.

Which was read and referred to the Committee on Finance.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bill

only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Wagner presented

No. 1684 Resolution transferring the sum of \$400,000.00 from Code Account 1443, Police Salaries and Wages, Department of Public Safety to Code Account 1443-4, Police Premium Pay, Bureau of Police, Department of Public Safety. This transfer is necessary to cover Police Premium payroll for the remainder of 1986.

Which was read and referred to the Committee on Finance.

Also,

No. 1685 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase Scuba and Water Rescue equipment for River Rescue, Department of Public Safety, at a cost not to exceed \$37,000.00, chargeable to and payable from Code Account (DPSTPP), Department of Public Safety.

Which was read and referred to the Committee on General Services.

Also,

No. 1686 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase Fire Hose, Nozzles, and Appliances to be used by the City of Pittsburgh, Bureau of Fire, at a cost not to exceed \$55,000.00, chargeable to and payable from the Department of Public Safety, Bureau of Fire, Code Account

(DPSTPP).

Which was read and referred to the Committee on Public Safety.

The Chair presented

No. 1687 Communication from Ronald Schneiser, Director, Department of Finance, submitting a report, in duplicate, of deposits and the market value of securities pledged as collateral by City Depositories as of September 30, 1986.

Also,

No. 1688 Petition from the residents of the City of Pittsburgh, requesting a public hearing concerning legislation presently being considered, namely Bill No. 1591, which would create a "Comprehensive Municipal Pension Board," and Bill No. 1592, which would create and transfer monies to a "Comprehensive Municipal Pension Trust Fund." (This petition is invalid in accordance with Section 320(a) of the Home Rule Charter.)

Which were read, received and filed.

UNFINISHED BUSINESS

The Chair presents

No. 1607 Resolution approving the appointment of Glenn Cannon of 1040 Portland Street, Pittsburgh, PA 15206 as Director of the Department of Public Safety.

Which was read.

Michelle Madoff moved to approve the appointment.

Mr. O'Malley seconded the motion.

Mr. Wagner:

Discussion. Mr. President and members of Council, as Chairman of Public Safety, I have a motion coming up and I want to state the reasons for that motion prior to making it.

First of all, I want to say that obviously we have a confirmation in front of us which is very important and the confirmation is Mr. Cannon. I feel Mr. Cannon has many positive qualities for the position that is being considered. We're all very aware of many of those qualities, such as, number one, he is a resident of the City. All of us know and all of us have complained repeatedly about people moving into high-level positions and management positions in general, that are not residents of this City. In addition to that, Mr. Cannon is an employee of the City and obviously he has been an employee for a number of years of which a great portion were Director of EMS when that was an individual department in and of itself. He also, I believe, was the leadership and the reason behind that particular bureau today being as confident and as well known as it is.

His most recent position is Acting Director of Public Safety. We're all aware of that and we're all aware of the Public Safety Department and what the Public Safety Department has gone through. The reason why I'm stating that is that obviously I believe Mr. Cannon has the qualities necessary in addition to his educational background, his professional background, and what he has shown in the short period of time as being an Acting Director.

And I believe one of the strong qualities that he has shown is communication. Communication with neighborhood groups, communications with the strong unions that exist in

Public Safety and communication with this Council and in particular with myself as Chairman of Public Safety. As a matter of fact, in terms of communication, the President of the F.O.P., Mr. McNamara, came to me prior to this meeting and suggested that Mr. Cannon be confirmed today rather than delaying it as he has stated all along. I don't know the opinion of the Firefighters' union or the Paramedics' union; they have not mentioned that to me and I would suspect that it is similar.

The reason for stating all that, which may seem contrary to what I'm about to say, but I feel I must say and must do as Chairman of Public Safety, and I have said it all along and I'm not throwing a curve at anyone, is a support for delay of this confirmation. I personally think that the best test of any individual in a position is actually to work within the position. There are very few jobs in this country where people do not have a test period in the position. That is, I believe, the best way to determine if someone is capable. Every indication so far is that Mr. Cannon has passed that test; however, it has only been for two or two and a half weeks that it has been in existence.

I mentioned that to some people over the weekend and they said to me that maybe politicians should have a test period also and I had to agree with them. I thought it was an excellent idea and I believe it holds true for any and every position. I believe it should hold true also in this particular instance.

We all know that two weeks from today the Mayor will present a budget to this Council, a budget for 1987, of which there are many questions about the finances of this City, what will have to be done to have a balanced budget in 1987. The Public Safety Department for the last two years has grown

dramatically in terms of its budget and in terms of its high-level positions. I, as Chairman of Public Safety, know nothing about that budget; maybe some of you know more. As a matter of fact, I believe some of you know more than I do. That information has not been translated to me as Chairman of Public Safety.

Another reason is that the Public Safety Department has been through tremendous turmoil. I have said personally and publicly to Mr. Cannon that that department must get rid of its dirty luggage that it has carried over the last year and it must move forward with a new fresh start. I believe that also holds true with Mr. Cannon in that Mr. Cannon, I believe, is not capable, nor is anyone else, to carry some of the problems of the past and the Public Safety Department with it.

Finally, prior to making a motion I would like to say, Mr. President, you appointed me as Chairman of the Public Safety Committee back on your first day in office in January. It was not a chairmanship that I sought; it was not one that I requested. I still am not sure today why it was given to me. I don't know if it was out of choice or that no one on this Council wanted the committee, based on all the controversy within it. However, I have worked very hard in that committee to understand the Public Safety Department and I have come to this Council with many recommendations over the past ten months and I have not received support for those recommendation. I wish I would have several times. This City would not have had egg on its face like it has had on its face if I would have received that support.

I am stating that because I believe there is no one on this Council that knows Mr. Cannon better than I. There

is no one on this Council that has reviewed his performance better than I. But there is more at stake here than Mr. Cannon; there is a department. There is a department that must be analyzed and it must be properly directed. It must be properly directed by the Mayor and it must be properly directed by this Council. I believe that must take place prior to this confirmation. Therefore, I am requesting that this Council delay the confirmation of Mr. Cannon until we have a budget in front of us, until we know where this department is going, until we can have some dialogue about this department, some dialogue that is badly needed, some dialogue that should have occurred long ago and still needs to occur.

Therefore, I am making a motion at this time, seeing that the budget will be presented in two weeks, to delay the confirmation for three weeks. In essence what I'm saying is, a motion to delay confirmation for three weeks.

The Chair:

Jack, I can't honor your motion until we dispose of the motion that is on the floor. I'll hear from some other speakers but I suggest that you ask the maker of the motion if she would withdraw it to let you have your motion. If not, we'll let everyone speak and then we will vote on the confirmation or rejection of Mr. Cannon. There is a motion to approve and it has been seconded.

Mr. Wagner:

Well, there is a motion and I would ask that that motion be retracted.

Michelle Madoff:

It's my motion and I do not wish to retract it and I wish to comment.

The Chair:

Okay, a number of you made the same motion.

Michelle Madoff:

I would like to state that I have the utmost respect for my colleague, Mr. Wagner, and I believe that he is doing what he believes is correct. And I hope that he and I can disagree without being disagreeable.

In the time that Mr. Wagner has been on this Council, I think he has lent a great deal of dignity and respect and I think things have become a lot better. It isn't quite the circus that he ran against. I believe that while he has his opinion and I respect the right to his opinion and I would fight for his right to express his opinion, I respectfully disagree with it.

I think we have had Mr. Cannon interrogated, grilled, and he has gone through trial by fire. As Mr. Wagner said, he knows him perhaps better than anyone else; perhaps we know him, some of us who have been here longer, perhaps longer and better.

There is the issue that Mr. Wagner raises of the budget which is going to take place in a couple of weeks. I have spoken with Mr. Cannon and Mr. Cannon feels that in order for him to be involved in that budget, he doesn't want to propose a budget for someone else to live with, which is what happened with what is now history and that is Director Norton.

I think the public is not being well served by not having an official director. I think it's time we bite the bullet. We all know Mr. Cannon, we know what he's capable of doing and I think we ought to get on with serving the

public and getting on with the job, and let's vote for him today.

Mr. DePasquale:

Mr. President, I'd like to go on record as saying that I respect the sentiments and concerns of the Chairman of the Public Safety Department, Jack Wagner. As early as last Thursday, I told Jack I might be inclined to go along with a hold motion. That was until the hearing Friday when I thought that most of the people present, I don't say all of them, are people opposed to anything that the Mayor or the Council of this City ever proposes. Therefore, I decided then and there that I would vote for confirmation because I heard nothing there to change my mind.

Mr. Givens:

Jack brings up a very good point and I have sentiments in regards to knowing what was going to be in the 1987 budget in comparison to the 1986 budget for the Public Safety Department. I have just recently spoken to the Mayor and he assures me, Mr. President, that there have been no major or significant changes in that particular department from the '86 to the '87. If you can recall, Mr. President, probably for the past eight years I've been one of the heaviest outspoken persons on this Council for the Public Safety issue.

It was the will of this Council that we have a Public Safety Department and the chief architect of that department is, in fact, as we all know, Glenn Cannon. I am willing, as I am with any person, to give him an opportunity to let us show what he can do. If I can look back on his EMS performance, the Emergency Medical Service, he has done an outstanding job and has probably as some other departments in this City has been recognized on a national level.

So, I feel somewhat assured that this individual should get that opportunity to move forward and let's see what he can do with this Public Safety Department. All of us in this room must give 100 percent support behind this Public Safety Department because if it fails, we fail.

Mr. O'Malley:

I think it's very important that a director be confirmed as soon as possible for a number of reasons, especially with the lack of morale that this Council has talked about and the lack of leadership. Also, many of the changes that Mr. Norton has made over the past year and a half I think need to be evaluated as soon as possible, especially some of those changes that many members of this Council disagree with like the reduction of the districts from nine districts to five, the transfer of hundreds of police officers, the changes in the narcotics section, and also the changes in our community relations officers. I think these changes need to be reviewed and evaluated immediately and then changes made where the new director deems possible.

Also, I disagree with Jack that if this was any other time except at budget time I might agree that we could hold the confirmation for two weeks. But the Mayor is going to present his budget on November 10th to this Council and somebody is going to have to be accountable and responsible for that budget, someone is going to have to be responsible for its allocation and for that budget's implementation. I think it would be very difficult for Mr. Cannon as acting director to assume responsibility for a budget that is really not his. And because of the budget, I think Mr. Cannon should be confirmed as soon as possible or should be confirmed today.

Michelle Madoff:

Thank you for confirming what I just said.

Mr. Wagner:

Mr. President and members of Council, obviously we're not going to have a withdraw of those motions and we will be voting on the confirmation or non-confirmation of Mr. Cannon. That's not my desire but obviously I will be voting on that in the very near future here, and as Chairman of Public Safety, it's very important for me to vote on that issue and not to abstain on the issue. But again, I want to say that things are not as rosy as everyone thinks they are in Public Safety. There have been many inconsistencies that have gone on recently and unless some very positive things occur in the near future, they will continue to go on and there has been no change in the thinking of this Administration about several of them. Just within this past week we continued to hear the badgering of employees in the public arena, from all levels within Public Safety and within the Administration, almost as if there is an intent to pull down the morale of anyone and everyone within that department.

I can talk about issue after issue after issue; I don't want to do that. All I want to say is, no matter whether the Administration is right or wrong in what they have to say, they should not be saying it publicly like they are saying it, and it is doing nothing but to deter the morale within that entire department. You say one thing about one person and it has an impact on the entire bureau and the entire department.

I have also read, and many of you have read, of the inconsistencies and statements of the so-called investigation that went on within this City. Those

inconsistencies must be cleared up, and I don't know who is going to clear them up. There doesn't appear to be a will or an intent within the Administration or this Council to do that, but I still believe that there must, yes, there must — that information must be cleared up once and for all, along with many other inconsistencies that continue to occur. We are going to have a Personnel Appeals Board decision come down, I understand, within a week or two on approximately eight or ten detectives within the Police Bureau. Things like that have to be ironed out. It has to be determined who is right, who is wrong, and move forward on it.

I don't believe that Mr. Cannon can carry that with him. I don't believe anyone can carry it with them. It has to be determined once and for all where this department is going. Mr. Cannon sat at the table last week and I would like my comments brought forward for the record and my discussion with him, and he responded very positively to many questions that I posed to him pertaining to hiring Pittsburghers, hiring veterans, re-evaluation of the zone concept that I have spoken out about all along, as to whether or not we'll go with five zones, six zones, seven zones, or stay with nine precincts. He has shown the ability for some latitude in looking at some of these issues; crime relations officers, which the community crime prevention people certainly want, the enhancement of communications, a personnel promotion system which hasn't existed, and many, many other things. But at the same time, I can't say enough how important it is to clear these matters up and they must be cleared up, and my fear is that they will not be cleared up and I believe that this Council has an obligation to do so.

If Council obviously is not going to hold, I will vote to support Mr. Cannon,

and I will say that prior to the vote. It was my intention to vote three weeks from now for Mr. Cannon. If we are voting today, I am voting to support him and I am hoping that the items that I have discussed here can be cleared up in the future. I am hoping that a budget will be presented to me that will not be a bloated budget, like it has been the last two years, a budget with not excessive upper-management positions. We can't afford it; we don't need it. And I would hope that this Council would support me if anything contrary to those items occurs. I am stating that publicly on record prior to my vote. I will vote in support of him, and I would hope that all of us do also.

Mr. Pollock:

I would like my comments brought forward, please.

(BEGINNING - MR.. POLLOCK'S AND MR.. WAGNER'S REMARKS ON APPOINTMENT OF GLENN CANNON - WEDNESDAY, 10/22/86)

Mr. Pollock:

Glen, I have several areas of questions and I will try to be brief. One of my greatest concerns have been the deterioration in the relationship between the Director of the Public Safety Department and the public and with neighborhood groups, that is very noticeable. What would you do to alter that trend for starters and specifically, would you be willing to have regular meetings with representatives of the neighborhood groups, with the general public to field questions and take complaints.

Mr. Cannon:

I think it is important — you know the public is actually who we work for

and I think we need to get to them at every opportunity. One of the things that I really enjoyed as the Deputy Director, was my involvement with the Pittsburgh Neighborhood Alliance and the formation of the Nuisance Bar Task Force. Because what it did was, it took me back to something that I did a long time ago which was street community organization when I worked for the YMCA. I enjoyed it because I could relate immediately to what they were trying to accomplish in the neighborhoods and in the communities. We meet almost now on a monthly basis with neighborhood leaders. Whenever possible, I go into a community whenever I have been asked to go including even -- whenever I can. So I believe very strongly in hearing from the people in the communities and participating with the people in the communities and I have worked at that kind of job and I understand the importance to them of participating in that process. I think if you would like to check with PNA, we had a meeting where we had 80 community group leaders present that I coordinated and worked with the PNA to have that meeting. I have no problem with community groups in participating with them and I believe it is part of our responsibility to allow them not only to have input, but to know what is going on. They are the people that support our budget and our employees and without them we have no government. So I think it is very important that they have the opportunity to have their say. I would never want to be distant from them. I would never want to say that I will be some place and not be there.

Mr. Pollock:

Also, would you be willing to have meetings on a regular basis with representatives with the American Civil Liberties Union to monitor such activities as the protection of individual

rights, censorship and so forth?

Mr. Cannon:

Absolutely.

Mr. Pollock:

I raise that concern because there were attempts made to have those relationships and those meetings with the prior director and they never came forth.

Mr. Cannon:

I think the issues of abuse and brutality and lawbreaking wherever they appear are concerns for all of us and they are directly concerns for the Director of the Public Safety Department; and that information relating to those things must be gathered from whatever sources.

Mr. Pollock:

In the area of this report as well as the existing Public Safety Department, I am going to defer after I am done to Mr. Wagner because I think it is appropriate that he ask questions, but I will retain my right hopefully in case Jack doesn't ask you things to then ask you after he is done. The only question that I would like to ask relating to the existing Public Safety Department is and I have nothing to compare it to, but during the ten months that I have been on Council I have seen a large amount of travel request from three, four branches of the Public Safety Department and like I say I have not had the time to compare it to past years, but every week it seems like there is somebody from one of the bureaus of the Public Safety Department traveling somewhere and the cost are extremely high. Could you just give me some feedback on your view of education -- continuing education, travel, seminars and so forth.

Mr. Cannon:

I think it may appear high, but it may be for the first time that we are training our people to the levels that they need to be trained to. I believe very strongly that if we are going to ask someone to go out on the street to do a job, as managers and as legislators and administrators we have the responsibility to see that those people we ask to put their life on the line are trained, equipped and managed properly. Whether we like to believe it or not, Pittsburgh is not the center of all knowledge relating to all Public Safety issues; we send people to the National Fire Training Academy, to the National Emergency Management Institute. We sent police officers to the FBI School, to the State Police Academy; training programs where we can find and gather information. I think that I wouldn't want to sit here and tell you are going to see less request for travel for education; you are probably going to see more. We have a lot of catching up to do in a lot of areas and we will continue to request Council to allow us to send people to educational forums so that we can bring that information back into our City.

Our Bureau of Building Inspection now has more certified Building Inspectors than any other city in this country of our size; that didn't happen because we sat here, it is because we aggressively went after it and those kinds of professional standards are things that we have to bring in and have available. So I hope that answers it, but there is a concerted effort to train our people again for the benefit of our citizens and for the benefit of our employees.

Mr. Pollock:

I am sure that in your capacity as Deputy Director that you are aware of

the request for travel that have come in or did come in under Director Norton, without getting specific as to which ones you might pick out for not being relevant. Were you satisfied then with the majority of the travel request that were requested and granted?

Mr. Cannon:

Councilman, I really didn't have much look at those; they went from the Director to Council, those requests; but the concept behind them I support.

Mr. Pollock:

The next thing I wanted to get into is the question of morale and I am sure that Mr. Wagner will want to ask you about that so I will defer to him on that, but I just have a specific question in that regard. I have been talking to many individuals in the Public Safety Department to try to find out and I said to the media and other members of the public that we have an uncommon advantage this time during the conformation process of you because we have an individual who has a record on which he can run so to speak on which his examination can be based because not only have you been Deputy Director or Acting Director for a while, but you have been Deputy Director for a while and in addition to that, there was a significant amount of time as we all know that the actual Director was away from his duties so you were in effect Acting Director for probably a couple of months anyway.

Mr. Cannon:

When you total it, that is correct.

Mr. Pollock:

So I was asking around to get feedback from what people felt about working under you, with you and so forth;

and several things disturbed me and I want to bring them up because I think it is important for you to address these issues. I have been told and you can correct me if these allegations are wrong, that you were involved in our party to the photographing of members of Police and Fire Bureaus during their performance of their jobs with the purpose of displaying these photographs for slides to individuals or groups or in fact as John Craig of the Post Gazette said they were even showed to him to possibly either discredit is too strong of a word, but to show where there were problems in these departments. Now, I am not asking you to admit or deny those allegations unless you want to answer to those allegations. In light of those allegations is it difficult for you to lead those two bureaus when there is an opinion of possibly your prior actions were to discredit them. Doe it not make it a difficult position for you to be in?

Mr. Cannon:

That may be the perception on the part of some individuals. There was never an attempt to discredit them and the record will never show in any place that I ever made a statement to discredit those individuals. Although individuals made statements that I wanted to discredit them. I will stand here and say anyone can bring forward any record or any meeting or any document on which I have ever did that. The pictures that they are referring to were not taken for the purpose of discrediting anyone. The pictures when they were taken, were taken by the Training Division in the Bureau of EMS, in the department of EMS for the purpose of studying emergency scenes so that we can do the job better. It just so happens that those pictures contain other public safety people because when we respond to major incidents that EMS was involved, an overturned tractor trailer or a mass

incident or a multiple alarm fire there are other public safety people there; it was never the intent because many of those pictures were years and years old that were taken -- we used video tapes from TV stations when we can, stuff that they don't use on the air, we try to get for training purposes.

I have done a seminar which is Lessons Learned from Disaster Incidents in which we have a building collapsed, the truck through the heart of town, the bridge inspection truck that fell off the bridge in Highland Park; major incidents, the bus that ran through the building on Washington Boulevard, that there are lessons to be learned from that and anyplace we can learn and study so that we don't repeat a problem in the future, we have to do that. I have always believed that training is the basis for everything we do on the street. That is is important that when you are in a stressful situation, you are going to resort back to the thing you know, you are not going to have time to think about it and to resort back to the right to the right things require training. So I had a tremendous emphasis on training, that is why pictures were taken at scenes, not of anyone other than EMS personnel and of the scene that pointed out unsafe practice. They were not taken any time to discredit anyone.

Mr. Pollock:

Do you acknowledge that Mr. Craig's allegations that the photographs or slides that were shown to him is inaccurate or accurate ones?

Mr. Cannon:

Absolutely.

Mr. Pollock:

What was the purpose for him

seeing them?

Mr. Cannon:

Because at that time, we were trying to put together the Department of Public Safety and we were trying to show that there was a need for improvement. A picture may show one person in proper protective clothing and a person beside him in the same hazardous environment in the wrong protective clothing.

Mr. Pollock:

The bottom line and I am sure Mr. Wagner will touch on morale again, but the bottom line is that should you be confirmed, you are going to be going in with maybe a strike and a half or two strikes against you as far as the police and fire are concerned. I think it will be incumbent upon you and I am not telling you how to do your job, but I think it is going to be incumbent upon you to go out of your way to make sure that the fears and suspicions that they may have are in fact inaccurate.

Mr. Cannon:

I have tried since I came down as the Deputy to meet with them whenever possible to discuss things openly. I will continue to do that and yes, I will continue to go out of my way if that is required.

Mr. Pollock:

Just a couple items along the nature of personal items. I am dying to know this, what were you possibly thinking when you agreed to assume the position of Ward Secretary of a Democratic Committee Ward? I think it was extremely ill advised.

Mr. Cannon:

In retrospect, so do I. I had -- you have known me a long time, all of you. I hadn't Ben involved in politics, I was not a political person. You said to me when did you get interested in partisan politics? In that non-involvement, my naive -- in that area is what allowed me to get into that; and what actually occurred and I saw it and this sounds stupid and naive, but you know I worked for my church, we put money in, I work the Bingo, it helps the school. I am a band parent person; I belong to my neighborhood community club. I try to participate where I live and when someone said would you like to do this, I said what's involved? And they said there is a couple of meetings that you go to and that's it. I said well, okay, I can do that, it's in the neighborhood and it is something that I can do; it's not a lot of time and I thought it would help people to come and understand me and Public Safety better because I think there is a tremendous misunderstanding of Public Safety. And I felt that it might help me understand the system that I work in better. Well then all of a sudden, there was an editorial in the paper. I had become the second highest law enforcement official in the City, I never thought of myself as that. The step from EMS to Deputy Director was much larger than I had realized; and then it became important when that editorial came out that I be the one who make the judgment when I leave that position; even though I might have wanted to run from it at that minute because I immediately the wrong thing for it to do. I always tried to measure who I was with what I did; and that if I felt there was a conflict, then I would step and my decision was transmitted to the Ward Chairman easily a month before John Norton left or before any of this stuff came up. The thing that caused me to make that decision was that I got more involved in

the investigations in the Office of Professional Responsibility and it became very clear that there was and I could not be involved in that and I made the decision to step out of it. That's how I got in it and that's how I got out of it. It struck me and I want to say this, it struck me as odd that there was something dirty or evil about being involved in politics and that was the feeling I was getting from people.

Mr. Pollock

It is not dirty and evil, it is the appearance of impropriety. When you are in law enforcement, the last thing you want is for anyone to say well, I was arrested because I am a Republican or I am not a Democrat.

Mr. Cannon:

Sure, absolutely and I recognized then. I recognized my perception that I did not see myself as a law enforcement person. When I came to that realization, whether I was a police officer or not, which I am not, but that I would have and I did have direct input into investigations and I said I have to get out of here and I can't be involved in this; but it was the non-political experience that allowed me to be involved even in the first place.

Mr. Pollock

And my last question, subject to any things not being covered by Mr. Wagner. In reviewing your curriculum which I find extremely impressive as anyone who can read would, I am struck with just one question and that is you are 38 years old and I am sure you don't want to be Public Safety Director for the City of Pittsburgh for the next 50 years. Where do you go from here, what do you do after this?

Mr. Cannon:

I am really not sure. I know that I have asked — Mr. DiNardo and I have asked questions and Chief Moore — I don't know why we find ourselves in a place and time, why weren't we here at this point five years ago or why are we here five years from now, but for whatever reason, the events that have happened in my life that brought me to here at this point in time and I don't know why. But that's where I am and I have to do the absolute best job I can for this City while I am here; and if I am the Director, I can just promise you that I am what I am. I am the substance of what I am and that I will do the absolute best job that I can based on the job I have already done for this City for almost 12 years now. I don't think I will be here for 50 years, no I don't, but I have no plans right now other than to continue to try to do the best job I can for this City.

Mr. Pollock

Thank you.

Mr. Wagner:

Mr. Chairman, point of order first of all. Will there be a vote taken today on Mr. Cannon's nomination or will that be Monday.

The Chair:

Monday.

Mr. Wagner:

I just want to make it known, I have been up front on my position with the appointment and the confirmation that on Monday I will make a motion to hold for several weeks, probably three or four week, the final vote on that confirmation. The reason being that I

personally feel that the best test of any individual not that I don't have confidence in Mr. Cannon, I do. The best test of an individual is to work and perform in a job, no matter what that job is, and that is a better way of evaluation than any question that any Councilmember can pose at this table. Another reason behind it and it relates to the budget, I differ from some Councilmembers on what I think the needs are in Public Safety and I do want to see a budget prior to confirmation in order to make an evaluation of the direction of the Public Safety Department. Whether or not on this Council there are the votes to hold the confirmation vote for another three or four weeks, I don't know and we will find out Monday; but I am letting Council know up front my position.

As Chairman of Public Safety, I would hope that Council would entertain some of my opinions on these positions. I have looked at them in great detail and I firmly believe in the checks and balances of government and I would hope that Council would, to a greater degree. I think it is important to provide checks and balances on the administration at the Controller's Office. If this Council doesn't do it, no one will do it and this Council should not be led in any direction to do anything; it should make up its own mind and for that reason, I will put the motion on the floor.

Moving on, Mr. Chairman, I request the presence of the Mayor at today's meeting. Did we have a response to that request.

MR. WOODS COMMENTS

Mr. Wagner:

Moving on from there, I have made that request many times and I make that request for justifiable reasons. The

reason being that obviously the Acting Director, now Mr. Cannon, is not the final opinion on any issue that comes in front of Public Safety, it is the Mayor. And it is important to know what the Mayor's position is on many issues. It is also, I believe, important to know what the Mayor's position is on many issues. It is also, I believe, important for Council to have dialogue with the Mayor periodically. That never happens in a formal public forum; it happens once a year and I think that's unfortunate because the Charter gives Council the opportunity, the permission, to ask the Mayor's presence at this table at any time.

MICHELLE MADOFF COMMENTS

Mr. Wagner:

Moving on, Director, I will have to pose all the questions to you and I would like to first of all say that I have met with the Director twice and we have had about two hour sessions both times we met. And many things we have discussed have been concerns of mine all along and will continue to be relating to the policy, procedures, programs of the Public Safety Department. I have quite a few questions and I might as well just jump right into them. My colleague, Mr. DePasquale, talked about hiring Pittsburghers. Council has become very irritable as of late, I would say the last three, four, five months when we have seen continual numbers of people particularly in higher management positions hired from outside the City of Pittsburgh. We find it hard to believe that there are not competent people within the boundaries of this City. I would like to know what your position will be as Director with confirmation on giving priority to a resident or at the very least, someone from the surrounding area rather than going to Missouri, California, Arizona or wherever. We

feel it is very important not only in terms of Public Safety, but we feel it is important to the economic conditions of the City, we think it is important for morale within the department because obviously if the person comes from within and moves up other people move up and everyone has the opportunity for promotion within the department. What is your position and what will be your position if confirmed in terms of hiring Pittsburghers?

Mr. Cannon:

Again, my position that given the opportunity based on qualifications, we will always hire Pittsburghers. My record has been that if you look when I controlled promotions in EMS the people that were promoted and moved up, all were within. The people that I have had control over hiring in Public Safety, all have either lived in the City or worked for the City and were exactly what you suggested, they moved up and other people could move in their place. Only one lived outside the City and that person lived in the county. That has been my record and my position on it.

Mr. Wagner:

So, you will give priority to people that reside in the City that are competent to fill the position?

Mr. Cannon:

That is exactly right.

Mr. Wagner:

Moving on to another issue as it relates to hiring of veterans. Many veterans have prior experience in public safety matters, whether they be EMS, Fire or Police. What is your position in terms of hiring veterans, also if they are competent for the position.

Mr. Cannon:

Again and if need be, I can supply you with a list of names. The record will show that anytime I had the opportunity that the veteran was given the job, based on the competency. Chief Kennedy who went with me from being an EMT through every rank with EMS served with the 82nd Airborne in Vietnam; that is my record on it and it is there to see.

Mr. Wagner:

So where equal qualifications exist in a veteran is one of the two you will give priority to a veteran?

Mr. Cannon:

And I have.

Mr. Wagner:

A general question, but a very important question. In your present evaluation, obviously first off, I should premise by saying the Public Safety Department has gone through tremendous turmoil. A lot of individuals have been hurt, hurt dearly in terms of them working with the Public Safety Department, terminations, transfer, demotions and even people that remain in existing positions; the morale is very low as we all know and maybe I should just point blank ask you that question. What is your opinion on morale and in addition to asking you that question, what is your present evaluation of the department in general? Where it is right now today and what are your goals short range and long for that department.

Mr. Cannon:

The morale question is certainly an issue. Some people's morale is lower than others. I think that this turmoil that you speak about absolutely

negatively impacts morale of any individual. The constant change and swirling and the unknown future affects everyone from the lowest to the highest rank and it lowers everyone's morale, not just the people on the street. It is difficult to go in there every day and do the task you have to do to keep the services on the street when so many distracting issues are going on around you constantly and we have moved from just what has constantly been in turmoil for months now and I think it is absolutely has an impact on morale.

I think one of the important things is that we have to settle things down, that is a short term goal. We have to let people know that there is going to be some stability and some leadership and support of their efforts out on the street. Some people refer to the things that I tried to deal with as Deputys such as better police cars and more radios and improved fire equipment as gadgets, but they are not gadgets to the people out on the street that have to do that job and I think that it is a sign to them that one of the first things we want to do is to see that they have the tools to do their job out there and that will begin to make them feel better about what they are doing because they know someone is behind them, that someone supports them in either role. But more than that and bigger than that is to get them involved in the process. You know if you don't have information and I have heard this Council member say it so many times, you are like a mushroom and that's exactly right, you don't know what is going on and hopefully through Labor/Management Committees, through regular meetings with with the unions and not even the unions, just regular meetings with people involved, we will be able to let people know what is going on, they will have a better understanding of why things are happening and they will begin to feel better about participating

in Public Safety. Those are short term things that I think we can do.

Long range, we need to have a road map; we need to have a strategic plan of where we are going and that strategic plan needs to be for Public Safety. One of the things that we have to not do is plan in terms of how long are people's terms in office? The issue of Public Safety don't relate to how long the Mayor is the Mayor or how long any of you are Councilmembers. People that live in this town live beyond those terms; our planning has to be done five, ten, fifteen, twenty years to address the issues of Public Safety in this community. If we expect results within a year that are going to solve all the problems in that world, we are kidding ourselves and there is no planning activity anywhere that would tell you that we could undertake a task like Public Safety and try to do it in a year.

Mr. Cannon:

I would say to that in that planning process, the people that are impacted will have an opportunity for input into that process, and we will come up with a long strategic plan for the Public Safety Department in the City of Pittsburgh.

Mr. Wagner:

So, that relates to basically your priorities, your goals, and how you view morale. And while we are on that topic and talking about communication, which is very important, there have been, just recently, there was an issue relating to fire fighters on the equipment of the fire trucks, and I would like to see us move forward and purchase that equipment, but I find that in the process of discussing that issue there is not a committee within the fire fighters -- an equipment committee that would meet periodically with the Chief to discuss and

give him their input in regard to the committee. What is your position on forming a committee in that particular bureau for that particular purpose, and not only in that bureau, but in other bureaus, Building Inspection, Police and EMS.

Mr. Cannon:

I have already had discussions with the Fire Chief and part of that was at a meeting we had with the Fire Union and the Chief regarding an equipment committee. And we recommended that if had not had one, that maybe he ought to form one.

In other areas where we have been involved, we have had a Uniform Committee and in other areas, Equipment Committee, and I think that is real important, and I think it's important that people be represented on those committees from all the levels that exist, not just officers, are a number of committees; Safety, Equipment, Vehicles, Labor Relations. Those committees have to be formed in all the bureaus, and they have to be in place in operation.

Mr. Wagner:

So, what you are saying is that you will move forward and request and demand that each one of your chiefs establish committees of that type and that they meet periodically with those committees to get input?

Mr. Cannon:

Yes. But there must be participation on the part of the Unions. If I request union participation and it doesn't come forward, that is all I can do. I cannot order the Union to participate in that Committee as a union. I can have representatives of the

Department who are union members sit on a committee, but if Union leadership chooses not to form or anticipate, I can't control that.

Mr. Wagner:

Well, what I am concerned with is that there is participation; participation meaning people from the bottom rung of the ladder to the top. Now, if the Union leadership chooses not to participate, that is their decision, but the establishment of a committee and giving the employees the opportunity to have input is what I am concerned about.

Mr. Cannon:

And that will occur if I am the Director.

Mr. Wagner:

Your past responsibility as Deputy Director as it related to professional responsibility was what?

Mr. Cannon:

I was in charge of the Office of Professional Responsibility.

Mr. Wagner:

And the duties are?

Mr. Cannon:

They are to investigate all complaints regarding the performance of the professionals of the Department of Public Safety, regardless of where they work.

Mr. Wagner:

Regardless of where they work. Does that include all bureaus?

Mr. Cannon:

Yes.

Mr. Wagner:

Does that include all people?

Mr. Cannon:

Yes.

Mr. Wagner:

Has there been an investigation initiated in professional responsibility about the investigation that was initiated of an elected official?

Mr. Cannon:

yes. I did that directly myself.

Mr. Wagner:

To what degree has that investigation gone and to what degree will it go further?

Mr. Cannon:

The investigation is ended at this point and time. The information that we have has been made public, far more even than we wanted.

Mr. Pollock:

Point of order. When you say the investigation, are you referring to the actual investigation or the investigation of the investigation? I am missing you.

Mr. Wagner:

Well, what I am getting at, if I may clarify, is that I know we have initiated many investigations of many people within Public Safety; an officer that has been accused of drinking coffee in a

coffee shop for an hour, or other items similar to or more serious in nature; allegations. Probably the most important item to surface publicly since the creation of the Public Safety Department and in particular, the area of professional responsibility has been the so-called investigation which we know did exist of an elected official, and I would like to know to what degree an investigation -- an internal investigation -- not of the Controller, an internal investigation was initiated to determine how that originated, who was involved, the who, what, whens, wheres and whys, as was indicated in a recent editorial of that investigation. To what degree was the Office of Professional Responsibility involved to evaluate all of those allegations?

Mr. Cannon:

I sat down with the Chief of Police and gathered that information that you are asking. All that information has been printed in one form or another that we have available to us, with the exception of what initiated the investigation. We are not able to get access to that information. The City official that ordered the initiation of the investigation has not spoken to us and will not speak to us regarding what caused him to initiate that investigation.

Mr. Wagner:

All right. Well, I don't want to get into the details of it. I want to talk more of the concept, and I want to talk about equal treatment across the board from the top person in this City to the bottom person in this City, and I want to make sure that if we have a particular office that has a responsibility, that that office and those responsibilities are applied to where they should be applied in an equal fashion. If the allegation is about Jack Wagner, let's apply it towards

Jack Wagner. If the allegations are about Glenn Cannon, let's apply it towards Glenn Cannon. My concern is that that is not happening, and I now we have talked repeatedly, and I have said that you cannot with confirmation if you receive confirmation, carry with you so called bad luggage of the past. And whatever issues are issues of questions, are issues where questions have not been answered, they have to be answered, and I as Chairman of Public Safety want to see answers to all questions, and I want to see an Office of Professional Responsibility. If this Council is funding a Public Safety Department with an Office of Responsibility, and I don't want them to pass up one investigation and get involved in another investigation that is of very little concern. That is of great concern to me in regard to the procedures, the reason why it was implemented and the other items I just mentioned, the whys, whats, whens, wheres, whos, and everyone else. And, if the Office of Professional Responsibility has not thoroughly investigated that particular issue, I think it should.

There is also another matter, and maybe even Council should look into that. I think that's an item I think Council would have to discuss with itself. But, the point I am making is, I want to see equal treatment across the board within Public Safety, and where I don't see it, I will question why it doesn't exist. And I did not see it with the Office of Professional Responsibility immediately getting involved in that particular situation.

Mr. Cannon:

Well, my only response is that the person responsible for that office got involved in that situation, rather than having any lower level person become involved in that situation. And you and I have discussed that, and you have the

information that I have. It's been in the paper. Again, the only information I cannot present you with is why someone decided to order what he did. And we will -- know you realize, that OPR deals with internal -- we don't investigate outside of the Department of Public Safety. It is for employees of the Department of Public Safety. You are clear on that?

Mr. Wagner:

Yes, I am very clear on that. That's the reason why I am posing the question. There have been so many statements that contradict other statements, that I think it warrants an investigation from the Office of Professional Responsibility.

Mr. Cannon:

I will consider that.

Mr. Wagner:

And I think that investigation should have taken place long ago. If it hasn't, it should now, and we should get to the bottom of that. That leads me to my next point, and this is one of the items I brought up to Council earlier, as it relates to the budget.

I have been of the position all along that there should not be a Deputy Director position with the Public Safety Department. And you know, Mr. Cannon, that I have shared that with you. I think I have just given, or I am leading to giving, one of the reasons why. If there isn't an area of Professional Responsibility -- number one, I don't think it should report to a Deputy Director. I think it should report to a Director. If you are confirmed, an office of that importance should not come through someone else.

Mr. Cannon:

It had been my thought, and I think I might have shared it with you that I agree, that I believe it should also report to the Director.

Mr. Wagner:

And there are many other departments in this City where we do not have Deputy Directors. I am making that comment here at this table because I know Council will be reviewing a budget. I think with a directorship and Mr. Cannon, if he is confirmed moving into that position, he should take with him certain responsibilities for certain areas within Public Safety. If they are of such a priority, those particular responsibilities should not be the responsibility of someone under him.

MRS. MASLOFF COMMENTS

Mr. Wagner:

Well, we found that the former Superintendents of the various departments were very competent and capable of speaking on issues as it related to their particular departments in the past.

MRS. MASLOFF COMMENTS

Mr. Wagner:

And generally speaking, that has been to the media. I see no reasons why existing chiefs cannot do that in the future. As a matter of fact, Mr. Cannon has indicated that he is going to defer to chiefs much more often than his predecessor in that their opinion — I think the only need is coordination when a catastrophic situation arises. If for instance, Mr. Cannon is out of town a couple of days and a situation were to occur, I think Mr. Cannon or the Mayor

could designate very quickly and very easily someone to be in charge of that particular situation.

MRS. MASLOFF COMMENTS

Mr. Wagner:

And that would be his choice to determine who is designated to do that.

MRS. MASLOFF COMMENTS

Mr. Wagner:

And the reason that I have that opinion, and I'm using that as an example — we have seen a budget in Public Safety increase now for two years. Council put 20 some new positions in the budget last year. The previous Director made several new positions during mid-year in the budget that I didn't agree with because the job titles were not in the budget, and we have seen more high level management positions and funding of those positions within the last two years and even within the last several months. I think there is a need for you as acting Director, or if you are confirmed to be the permanent Director to take a good hard look at each and every job within the Public Safety Department to determine its value and its need, whether or not it has benefited that department and whether or not it is needed any longer in the Department. I don't believe that this City can afford to have extra positions that are not necessary in any department, particularly in a department that has been funded to a far greater degree than others.

Council has expressed its opinion that if there are positions that are not filled it would like to see filled, or the actual people out in the streets, whether they be fire fighters or police officers. I am making that statement now because

if Council does not go along with delaying the confirmation, obviously we will get a budget within two and a half weeks. In that budget, there are going to be many positions in it, and if you are confirmed between now and then, you quite possibly could have appointed people to positions of vacancies right now. That's of concern to me because it's more difficult to eliminate a position once there is someone in it. So, I am expressing my opinion as it relates to that particular position right now.

To move on to a couple of other issues, Acting Director, I am sure you have heard many of the neighborhoods' complaints in regard to many of the changes that have taken place, particularly within the Police Bureau. I have tried to bring to the attention of the Administration some of those. A couple that are of particular interest to me relate to the Community Crime Prevention Office. There has been a change in the procedures by which Crime Prevention Officers work within the precincts and deal with the communities. In that, whatever Crime Prevention Officer is assigned to a particular evening would then go to an evening meeting or have interaction with a neighborhood group, anywhere throughout the City which causes a problem in terms of communication and understanding of the neighborhood problems. What is your position, and I'm sure you have heard this concern, about correcting what appears to be a flaw in the system as it relates to community crime prevention. You know how important that is. You and I were at a meeting this past week, and we really have seen — Our City has been rated the number one city in the country for Block Watch and crime prevention activities. We have come a long way, and I would hate to see that take a step back due to a change in the procedure with Crime Prevention Officers.

Mr. Cannon:

I think it is very important that the Crime Prevention Officers be able to relate to the communities that they work in on a regular basis. I think they have to build those relationships and linkages to the groups and organizations within a given geographical area. I recognize that that has been disrupted somewhat. I have already had conversations to try and restore that because I believe it is extremely important. I have been to meetings in communities where the Crime Prevention Officer was there and seen first hand that relationship of those community people in dealing with that officer. I do not want to see that disrupted.

Mr. Wagner:

So are you going to then reinstitute the past procedure where Community Crime Prevention Officer is assigned to a particular precinct or zone on a permanent basis?

Mr. Cannon:

Given the opportunity to do so.

Mr. Wagner:

Meaning?

Mr. Cannon:

I will not make changes as an Interim Director.

Mr. Wagner:

So in other words, if you are confirmed, you will do it?

Mr. Cannon:

Yes.

Mr. Wagner:

Good. Another issue, five zone concept. I still don't know where it stands, it was intended to be implemented back in July I believe of this year. I have expressed concern about it all along and briefly reading the consultant study that was given to me yesterday by you and I appreciate that. The consultant study indicated that the suggestion was to reduce the precincts and I believe the original intention was to go to three zones.

Mr. Cannon:

That is what it said, yes.

Mr. Wagner:

We have decided it appears to go with five zones. I have been of the opinion that this city is not prepared and is not appropriate in terms of its geographics, topographics, its weather conditions, its traffic conditions to go to five zone -- to eliminate four precincts and go to five zones. One particular area, actually, two particular areas stand out in my mind. The south and west of the river, which makes up 42 percent of the geographical area of the City. The intentions to go from two precincts to one and I think from a deployment point of view and a management point of view we are designating in problems with the suggestion. The other area of the city that strikes me as not being acceptable is the Oakland area where we have the second highest populace of people on a daily basis in comparison to downtown and we are proposing to eliminate that precinct. What is your opinion and what consideration would you give to altering of that proposal of going to a five zone concept and not necessarily staying with nine, but changing to make it more acceptable to the neighborhoods that have obviously spoke out against the

plan?

Mr. Cannon:

As I have stated earlier I am reviewing hopefully with the intent of taking some action all the programs that have gone on in Public Safety in all personnel moves that have been made in Public Safety with the idea that maybe five isn't right or maybe it's wrong maybe it's good or maybe it's bad. I am certainly open to reviewing that plan that was put forth. I recognized that although crime statistics may indicate one thing, geographic distances and the barriers that exist in our community may indicate something else. I am aware of that because I have worked out on the streets for a good while. I also am concerned that we have -- I disagree with people's concern that the station is what makes it important. What makes it important is keeping people out in the patrol sectors in neighborhoods. People don't need police at a police station, they need them out in the districts so that when they get a call, they can quickly respond to that location; but you tone that or you put that in reality of the environment and so I guess what I am saying is yes, I am very open to looking at it; I am very open to suggestions and if it should be changed that we can do a better job, then that's what we need to do.

Mr. Wagner:

I would appreciate if you would, and that was recommended 20 years ago in a study to go to five zones; it was turned down for justifiable reasons. One of the reasons was what my colleague spoke about earlier, Michelle Madoff, there were portions of the study that didn't make any sense and one was related to the zone concept where a police officer would patrol Grandview Avenue and Carson Street, the reason

being that on a map it looks like they are connected and they are not.

Mr. Cannon:

That's right.

Mr. Wagner:

I have talked to several police officers who were under another Public Safety Director at that time and they indicated to me the reasons why it was not implemented. It was one of the items of that study which was a quality study that was not implemented and they indicated that there were not significant savings, deployment of forces would take longer and they could not really see the value at that time or any value at that time and I am asking you to please take a look at that and re-evaluate it prior to being implemented.

Mr. Cannon:

I will do that.

Mr. Wagner:

There have been a lot of promotions, transfers, demotions within the department. You as management as administration have total authority as to who is promoted, demoted, transferred or whatever, except for whatever the union contracts indicate and whatever you have to meet with those contracts. My concern has been that it has not been done for justifiable reasons meaning number one, a personal file has not existed on employees. Number two, a Supervisor has not sat down and discussed with them why they are being transferred, demoted or promoted and most importantly that there has not been a merit basis for doing those things. What is your intention to correct what I consider to be a major deficiency in the personnel system within the Public

Safety Department.

Mr. Cannon:

I have already instructed the research and planning people through Lou DiNardo to develop a merit based personnel system for Public Safety; one that would allow for routine personnel evaluations in writing reviewed with each employee and placed in the employees file; review and signed by the employee. Also, to look at those situations where there is discretion in promotion that we in fact develop a basis for that so that it is not a totally subject but becomes an object of process and that needs to — that process needs to be coupled with a file that shows what the employees performance has been up to that point. I have already instructed that that be done; that the research begin on that and that we move as quickly as possible to put a personnel evaluation system in place within the Department of Public Safety.

Mr. Wagner:

Have you identified a time frame to do it?

Mr. Cannon:

No, I just said it is something — its one of those things that's so obviously absent. Again, I just draw back on my own experience that existed in my other management experience; everyone there received evaluations on a regular basis and new employees have written evaluations at 30, 60, 90, and 180 days and then annually after that. That is just part of how you manage. People have a right to know how they are doing in their job. And what is the purpose of that? We spend a lot of money to hire and train people. We don't hire them to fail; we want them to succeed. There is a line about bowling with a sheet across the

alley. You know you're suppose to roll the ball down, but you can't see the pins and when you miss then we jump on your back and say you didn't do it right. How is a person supposed to know what is expected of them if no one sits down and says look this is your job, these are the things you are going to be measured by and then we measure you and this is how well you are doing and this is not how well you are doing and we take corrective action. The purpose of discipline is not to punish people; and evaluation isn't to punish people, it's to develop better performance and when we can do that -- these are people we are talking about. They have the right to know how they are doing in their job and they have the right to know what is expected from them and I have already instructed that we begin developing that process.

Mr. Wagner:

I am pleased to hear that. Can you promise me that when it comes to promotions within Public Safety, it will be done on merit for the individuals within?

Mr. Cannon:

I can promise you that I will do everything in my power to get that merit system in place on which to base promotions.

Mr. Wagner:

Within six months?

Mr. Cannon:

Jack, as quickly as possible. As I said, it's so obviously absent that it is a high priority.

Mr. Wagner:

Okay, it's a high priority item, good. One of the reasons why the Public Safety Department was created, there were about five or six reasons indicated in the Mayor's address to Council. One of them was to establish a Disaster Management Plan. It has been two years, we have not seen one, when will this Council get a Disaster Management Plan?

Mr. Cannon:

May I look over my shoulder a moment?

Mr. Wagner:

Please do.

Mr. Cannon:

I have the draft document on my desk right now and I would hope that I can have it in all of your hands before the Mayor's Budget Message.

Mr. Wagner:

In other words, within three weeks?

Mr. Cannon:

Let me explain the process and why it may be a draft. The document that we are developing, we are having certified by the Pennsylvania Emergency Management Agency that it meets the requirements of them and the federal government. The reason we are doing that is if you have an approved plan, there is probably funding available that will come in and support certain positions in our Emergency Operating Center, up to 50% of their salaries. So what we give you is what we are sending them, but it will be stamped draft because we don't have their final

approval back. But we have been working. We sent them a number of documents had them returned to us with comments and suggestions and that is so our entire development process falls within the state and federal guidelines.

Mr. Wagner:

I am pleased to hear that and that is something that Councilman Givens has talked about for quite some time and I am sure that he is pleased to hear that also. I don't want to talk in any great degree about the consultant study,, but what I do want to do is request from the Assistant City Clerk that we have a post agenda on this consultant study and we will work out whether it is next Wednesday or the following Wednesday as to what is most agreeable for all parties. I think there is a tremendous need to discuss this in public. I have looked at it already. I have serious problems with it and I need to sit down and ask other questions with all of you about it prior to this study being utilized for anything. The most important question relates to who the consultant met with and how the opinions were formed and incidentally there are not many solid opinions there with information to back it up, but I would like to talk about that at another time.

What priority do you give and some of these issues relate to police particularly because there has been a lot of talk in the Police Bureau about a lot of things and a lot of changes to organize Crime and Vice. What priority is given — will be given within the Police Bureau to that particular area in the future in terms of manpower?

Mr. Cannon:

Well, I have already had some conversations with our police officials about reorganizing that effort and

increasing manpower allocation to that. I have to count on the judgment of people that have expert in those areas from both within and outside of our city; but I have already had conversation relating that area and the fact that I believe there are three people there now

Mr. Wagner:

Two.

Mr. Cannon:

They are done to two? Alright, well it certainly needs to be renovated, rejuvenated and put back into service.

Mr. Wagner:

Just several years ago, there were 16 people.

Mr. Cannon:

I recognize that, I was told that.

Mr. Wagner:

And I would like to see that particular area, those specialty areas I think are very important; areas such as that, Narcotics, and others. Auto theft. Another reason for the creation of the Public Safety Department two years ago was to address the auto theft problem. Since that time the auto theft problem has escalated far greater than it was then. What emphasis is going to be placed on the auto theft problem in this City?

Mr. Cannon:

Already there have been initial efforts at increasing citizen awareness and what can be done to help prevent your car from being stolen. Commander Rocco is working in those areas and has

been developing programs. I am aware that that statistic excuse the rest of our statistics and raises our overall crime percentage. I think it is extremely important that we grab hold of that issue and deal with it; and I have spoken to the Assistant Chief in charge of that area. I was a victim of it myself two nights or three nights ago and not for the first time. My car has been broken into before. Absolutely it is an epidemic in our City and we have to get a handle on it.

Mr. Wagner:

Well, crime is up and that is just one of the areas crime is up in —

Mr. Cannon:

But that area as you pointed out is up —

Mr. Wagner:

And if we made a public commitment two years ago to address the problem, I think we have to intensify our efforts because obviously we haven't done what I think we need to do and I think it gets back to again inner action with the people out there working on a daily basis on the problem and I believe there are six officers assigned to it. We have to find out what they think we should be doing and move in that direction.

Mr. Cannon:

That is exactly right.

Mr. Wagner:

I ask this question to all directors that come in front and I only had the opportunity to do it several times and however, it is a very important question. To what degree will you be

influenced by politicians for political reasons as a Director of Public Safety?

Mr. Cannon:

As little as possible. Again, you all — Councilman Pollock said you have an extent advantage because I have been here and I am in my 12 year now. You all know that my primary goal was to be as professional as I could possibly be in what we did; and that is the record that I have to stand on and I will resist efforts from anyone at any place to politicize the activities that go on in our department.

Mr. Wagner:

Director, what I am referring to is not the issue orientated items. I am talking about influences coming from whatever direction —

Mr. Cannon:

That is what I said, coming from wherever.

Mr. Wagner:

So, I am pleased to hear you respond to it like that. Physical fitness standards. The commitment was made to have physical fitness standards for new hires and I know you have stated publicly you would like to see a police — a new group of police come on board. Will there be physical fitness standards coming in the door?

Mr. Cannon:

We have had a number of meetings scheduled with Personnel and Civil Service, three meetings in fact, that we were scheduled to go over that very issue. All three of those meetings were canceled because the key player was not here to participate. We rescheduled for

next week on that issue to see if we can't come to an agreement as to what the fitness measure may be for new hires. We are not talking about things like running, jumping and lifting, but a fitness capability evaluation a cardiovascular evaluation of a person's ability to become fit or to do physical work. The problem is that fitness evaluations at point of hire must be job related and that's the tremendous issue that we have gotten into; so we think by using a certain score on one's ability to be fit we may be able to develop a standard for new hires.

Mr. Wagner:

I am talking about items such as pulling the trigger of a pistol, handling a K-9 dog, things of that nature.

Mr. Cannon:

Those are the things that you cannot evaluate which is the indication that we have received. Those are things you expect someone to do after they are on the job. We bring people in and hire them and then put them through the academy. So we have to measure fitness in a way that says that they will be able to do those and then when they are trained, they can perform those tasks. So not only is there an entrance fitness requirement, but there is an evaluation of fitness as they go through the training process and then at the end people should be able to perform certain tasks at certain levels; and that's what we are working on.

Mr. Wagner:

But still, we have to have something up front.

Mr. Cannon:

Absolutely and I am saying to you

that is something that I will begin being involved in next week.

Mr. Wagner:

I understand the EMS has something.

Mr. Cannon:

Yes.

Mr. Wagner:

The Fire fighters have physical standards; they have been cut back recently and two years ago, something that I didn't support, but the Police still have none and that's the important issue.

Mr. Cannon:

That's right, I agree with you and there has to be something there. I am not in disagreement.

Mr. Wagner:

I have asked you what I think are the important questions I wanted to ask you. Some of the important points I want to make and I believe it is important to make them public. It is important that this department move forward. I have said publicly that I question whether or not the Public Safety Department should even exist. I know realistically, that it is going to exist and it is not the intent of the Administration or Council to change that and I think it is important therefore for us to move forward and to begin to bring back some confidence level with the employees, management with the employees and with the public in Public Safety.

In order for that to happen, I believe a couple of things have to stop. Over the last year, we heard a continual

badgering of employees publicly whether it is overweight, new releases saying what the number of days off particular people had, whether it's someone who is said to be loafing and that becomes a news story. Whatever it may be, the point I want to make is that there is no way on this earth that morale is going to improve within the Public Safety Department is the management system continues to badger the employees publicly. I can't stress that enough, the battle will go on forever between the unions and management or unions and Administration. There has to be a cease and desist order when it comes to that and I am very hopeful if you are confirmed that you will see that that doesn't exist any longer. We are airing out the problems publicly that should not be aired out publicly. If there is a problem with an employee, I think that should be dealt with professionally and privately and I am hopeful if you are the Director that you will address that in the future.

I think that is an important item and I saved that until the end in talking here because it just can't go on, or else the problems will intensify and the differences will become greater. So I am hoping that all management people within Public Safety will be more select as to what their comments are publicly about what is going on internally within that department.

In addition, I am hoping that all rules are enforced equally across the board. If a management person does something that is not part of the policies and procedures they should be reprimanded just as another person should be reprimanded. That must take place and that all relates I believe to morale within that department. And I believe you are the person if confirmed that is going to have to implement these types of procedures or set the example

to make sure not only implement the procedures, but set the example to make sure that happens.

As Chairman of Public Safety, I want to work with the Public Safety Department. I want to do it on an issue orientated fashion. I do not want to do it on a personal fashion. I want to deal with you and with others on a professional fashion. That does not mean that we are not going to have differences when it relates to issues and I don't want anyone to think that differences as they relate to issues are not healthy, they are healthy. Information to come up on the table, whether it be the five zone concept or Crime Prevention Officers or whatever it may be, I believe is healthy. I believe it should happen, it should be public dialogue, not only between this Council and all of you, but between all of you and the public.

I am stating that publicly because I think it is important to state it publicly; and at this point I am going to summarize by saying that publicly I am leaning towards voting for confirmation for Director Cannon. Some of the questions that he has answered and I have asked them here at the table to get them on public record, I know he has said those to me privately, but I feel it is very important to ask them publicly; but you do want a road plan for that department, something that has not existed. You do want some stability with the people, process, you want to create communications and enhance communications between the particular bureaus and I am very pleased to hear that you will take a look at the Crime Relations Officers and the zone concept and most importantly and maybe the most important is to implement a personal system evaluation within the department. So therefore, Mr. Cannon, I am out of questions unless you want to make any comments or state anything

that I haven't asked you.

Mr. Cannon:

I think you covered quite a bit.
Thank you.

(END OF REMARKS)

The Chair:

Is there any further discussion on
the appointment?

And on the question, "Shall the
appointment pass finally?"

The ayes and noes were taken
agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of
Council being in the affirmative, the
appointment was approved.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1689

Report of the Committee on Finance for
October 22, 1986 transmitting sundry
resolutions and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative
recommendation,

Bill No. 1569

A Resolution entitled, "Resolution
providing for the issuance of a warrant in
favor of Conn Construction Company
(Converse Branscome, Jr., President) in
the amount of \$10,863.39 in payment of
Extra Work, being in addition to the
original contract price of \$2,536,174.03
on Controller's Contract No. 27563,
furnished for the benefit of the City in
connection with the Reconstruction of
the Pennsylvania Avenue Bridge and
Roadway and providing for the payment
thereof."

Which was read.

Also,

Bill No. 1570

A Resolution entitled, "Resolution
providing for the issuance of a warrant in
favor of A & B Smith Company in the
amount of \$4,139.53 for the purchase of
a Blu-Ray Whiteprint Machine and
Accessories; and providing for the
payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills
pass finally?"

The ayes and noes were taken
agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1575

A Resolution entitled, "Resolution transferring the amount of Nine-Hundred Forty-Seven (\$947.00) Dollars from Code Account RPPP, Residential Parking Permit Program Trust Fund, Index Code 254102, to Code Account NCDRPPP, Residential Parking Permit Program Trust Fund Non-CDBGP, Index Code 254110, both accounts within the Department of Public Works."

Which was read.

Also,

Bill No. 1591

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article IX, Boards, Commissions and Authorities, by adding Chapter 176, "Comprehensive Municipal Pension Trust Fund."

Which was read.

Also,

Bill No. 1592

A Resolution entitled, "Resolution to provide for the transfer of the assets of the City's various pension funds to the board of trustees of the Comprehensive Municipal Pension Trust Fund as required by the 'Municipal Pension Plan Funding Standard and Recovery Act.'"

Which was read.

Michelle Madoff:

On Bill 1591, I believe there is a request for a public hearing.

Mr. Perry:

Bills 1591 and 1592.

The Chair:

That's the ones that have been ruled invalid. They're not valid.

Michelle Madoff:

Well, I don't know enough about what is happening with the pension trust fund and there seems to be some great concerns about the police officers pensions being affected. I apologize for not having been here to get all that information the other day; was there any information? I understand it wasn't even discussed.

The Chair:

Yes it was discussed and it's by state law that we have to enact this. It's not changing the pension boards in any manner; this group will invest the money from now on. It's by state law that this board —

Michelle Madoff:

A third party has to do it. Okay, so that's not even a matter of joining funds, it's an enabling act that mandates us to do it. It takes precedent. Thank you.

Mr. Givens:

On Bills 1591 and 1592, we had discussion this past Wednesday when they set up the pension boards and that includes all three municipal pension plans, that of the municipal, police and fire. And the fact that the present

boards are set up in such a way that at least the municipal, that the Council is represented on that particular board.

I had asked then our Finance Chairman, Mr. O'Malley, if he would make some amendment to this bill to include at least a Council representative, either that or the President of Council or his designee, be in there and I just wondered if that was forthcoming or if you gave it any thought, Jim.

Mr. O'Malley:

It's my understanding that all the present board members were transferred to this new board which the President of Council must sit on.

The Chair:

And I spoke to the Mayor on Friday and that's what they're going to do.

Mr. Givens:

But that's not the way this bill reads.

The Chair:

The bill reads that all seven members must be present members of the existing boards.

Mr. Givens:

Where does it say that?

The Chair:

That's under the state law, so that anyone appointed to this board must be a present member of one of the three existing boards.

Mr. Givens:

That's true but there are still four

members to be appointed by the Mayor and three to be appointed by one from each of the three pension boards. That does not guarantee that there will be a member of Council there.

The Chair:

They have assured me that they are going to do that.

Mr. Givens:

You're saying to me that it does, by state law?

The Chair:

Right, and they assured me that they would do that.

Mr. O'Malley:

They will appoint a member of Council?

The Chair:

It will be the member that sits on there which happens to be the President.

Mr. Givens:

Yes, but the ordinance doesn't say that, Ben. That's what I'm trying to say. Is this a verbal agreement?

The Chair:

I called after the meeting on Wednesday with Schmeiser and I said all seven members of this board must be ones that are sitting on the existing three boards, any member from one of them. They assured me it would and they assured me it would be a member of Council.

Mr. Givens:

Okay, as long as that remains that way I have no great concern. But if that would ever change, then this bill would have to be reintroduced and amended to assure by law. Right now that assurance is a verbal one and I'll go along with it, but if it doesn't continue that way in the proceeding years, then I would think that future Councils would have to look into it very deeply.

Mr. Pollock:

Also on Bills 1591 and 1592, I just want to go on record so that in the future it can't be claimed that I did not object that I feel that just because a petition came in after the three day period, if there were enough citizens that cared to sign a petition and to present it to Council saying that they would be here, just because it came in after the three day period, if it came in before the vote, that we should withhold voting until such time as the citizens are heard.

You called it an invalid petition, or somebody called it an invalid petition, but all that means is that it doesn't hold up the legislation. They still have the right to a public hearing. So what it means is that they will have their public hearing after Council votes which, as has already been shown, several members of Council feel that that's the way the government should function. I, myself, do not and I want to go on record as saying that.

Michelle Madoff:

Mr. Pollock and Mr. Woods, my understanding, which I just learned today and was not aware of, is that one must request a public hearing within three days but you don't need to get the signatures in in three days; you can get

them in in three weeks. Is that correct? You mean the signatures have to be in in three days? That's impossible.

The Chair:

It's only 25 signatures. I could walk down that hall and get 25 signatures.

Michelle Madoff:

You're saying that any time anybody wants a hearing, and maybe it's on a very select subject where people don't live in the close neighborhood, like flat water rates, for example, we worked on it for three years and you have to get people all over the City and you only have three days to get 25 signatures? If there's a scheduled hearing. But if people want a hearing on anything, they can get 25 signatures? What we're talking about here is a time frame, is that correct, Mr. Pollock? What you're concerned about is a time frame.

Mr. Pollock:

Yes. After three days.

The Chair:

That's what it said.

Michelle Madoff:

What I understood you to say, Mr. Woods, was that you need to request a hearing in three days but not necessarily have the petition in.

The Chair:

The way you request a hearing is to have a petition in.

Michelle Madoff:

I thought you meant you say, "I would like to have a hearing. I'm going to

go out and get signatures." And then you had a reasonable time in which to get the signatures.

Mr. Pollock

What we're talking about is after three days but before the fourteen days to vote. So, that three to fourteen period where the Charter says you don't have to withhold but I think good common sense would dictate that you would hold. That's what it boils down to.

The Chair:

And that's why there's nine members of Council and we all have different opinions.

Mr. Wagner:

Mr. President, I would just remind my colleagues that any member of Council can initiate a request in the form of a vote for a public hearing on any piece of legislation.

Also,

Bill No. 1593

A Resolution entitled, "Resolution providing for an Agreement or Agreements between the City of Pittsburgh alone and/or with The School District of Pittsburgh and/or with the County of Allegheny and Real Estate Appraiser or Appraisers for professional and consulting services in connection with the City's sale or acquisition of real estate and real estate tax assessment matters involving real estate in the City, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1594

A Resolution entitled, "Resolution amending Resolution No. 355, effective April 30, 1986, entitled: 'Resolution providing for a professional services Agreement or Agreements for the provision of a needs assessment in connection with an automated activities tracking system for the Department of Law,' by increasing the total allocation by \$2,000.00 for the Bureau of Information Systems."

Which was read.

Also,

Bill No. 1595

A Resolution entitled, "Resolution amending Resolution No. 354, effective April 30, 1986, entitled: 'Resolution providing for an Agreement for the provision of computer training services to City Information Systems,' by increasing the total allocation by \$10,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1597

A Resolution entitled, "Resolution providing for the issuance of thirty (30) warrants in favor of State certified evaluators for the Public Safety Training Academy's Voluntary I Firefighter Certification Program and providing for the payment thereof."

Which was read.

Michelle Madoff:

On Bill 1597, I had wanted to ask a number of questions and was, as I said, unable to do that. Who are the people that are taking the training? Are they people that are already firefighters or are they people applying to be firefighters? Are these the people who get their certification and then are eligible for promotion?

I've had a number of calls about what is happening on the firefighters certification program and I need a lot more information than I have. Does anybody know anything about it?

The Chair:

It's for our present firefighters, am I right, Mr. Wagner?

Mr. Wagner:

Yes.

Michelle Madoff:

What about the people who are applying to be firefighters? Do they take this test?

The Chair:

No. This is present firefighters that must be certified.

Michelle Madoff:

I don't think that's quite accurate. I think that needs to be checked.

The Chair:

The City does not pay for that; we pay for people to take our test to be firefighters but this is altogether different.

Michelle Madoff:

Alright then perhaps another question might be asked. If anybody wants to go and take the test who is in the process of either taking the training to be a firefighter or isn't a firefighter as yet by not even being in a program but ultimately becomes one, does that give them a leg up on promotion?

The kind of information I'm getting, and I don't know whether it's true but it certainly is relevant, is that we are taking people who've had very short time in the Fire Department, giving them this course and say, "Oh, look how wonderful, they're certified, they ought to be promoted." And they're not always necessarily the best firefighters.

I also have some questions on the firefighting certification test. There's no grading.

I would like to put that bill back into Committee until we get some more information.

Mr. Pollock seconded the motion.

The Chair:

Can you answer it, Mr. Wagner?

Mr. Wagner:

What information do you need?

Michelle Madoff:

I want to know what the caliber, qualifications and grading of the test and who is eligible to take the firefighter test and what impact it has on promotions. I have someone who I will put you in touch with, a specific person that you can talk to who claims that this is being used as a mechanism for promoting people who don't deserve to be promoted. There's no grading if you attend six sessions then you're automatically certified. You don't even have to pass a qualifying test. There is no scope or outline of qualifications. Are you aware of this? Do you know anything about the test?

Mr. Wagner:

No, I have not seen the test.

Michelle Madoff:

That's the thing. Until somebody can tell me what -- It's like the questions on the hearings you held, Mr. Wagner, on firefighters' qualifications, being able to lift certain weights and so on, I don't know what goes into the certification and I understand there are some questions that need to be answered. As I said, Wednesday was not my opportunity to do that and I would like to put that back into Committee, if you would. And I will give you the lieutenant's name that you can speak with.

The Chair:

Jack, is there a time limit on this?

Mr. Wagner:

Not to my knowledge.

WHICH MOTION PREVAILED.

Also,

Bill No. 1536

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Ace Demolition, Inc. in the amount of \$23,100.00 in payment of the partial demolition of a Three-Story Masonry Building located at 617 Second Avenue, 1st Ward, City of Pittsburgh; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1625

A Resolution entitled, "Resolution

authorizing the transfer of Eight Hundred Two Thousand Three Hundred Dollars (\$802,300.00) from Code Account 44, Index Code 004408, Workers Compensation, One Hundred Fifty Thousand Dollars (\$150,000.00) from Code Account 1402-9, Index Code 140293, Department of Public Safety-Administration Worker's Compensation, and Three Hundred Twenty Thousand Dollars (\$320,000.00) from Code Account 41, Index Code 004101, Real Estate Tax Refunds to various departmental Workers Compensation Code Accounts."

Which was read.

Mr. Wagner:

In regard to Bill No. 1625, I would simply like to compliment our Finance Department for finally breaking down the dollars anticipated for workers compensation losses and allocating those dollars to all appropriate departments that have those losses. That's a very significant piece of legislation and the managers and directors of those departments should be held accountable for all financial losses and human suffering that relates to workmen's compensation. The bottom line is, I think the losses will decrease as a result of it.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mr. O'Malley
Mr. Givens Mr. Pollock

Mr. Grabowski Mr. Wagner
Michelle Madoff Mr. Woods
Mrs. Masloff (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 1690

Report of the Committee on Public Works for October 22, 1986 transmitting one ordinance and one resolution and to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1538

An Ordinance entitled, "An Ordinance amending Title Four - Public Places and Property, Article I - Streets and Sidewalks, Chapter 419 - Regulated Activities, Section 419.08 - Business establishments to keep sidewalks clean, by limiting the storage of rubbish material for collection purposes to an approved receptacle for one hour."

Which was read.

Also,

Bill No. 1576

A Resolution entitled, "Resolution granting unto Edward K. Jaros, 1521 Stratmore Avenue, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a Building Encroachment on a portion of the right

of way of Gulf Way in the 28th Ward in the 28th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 1691

Report of the Committee on Planning, Housing and Development for October 22, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1442

A Resolution entitled, "Resolution approving the proposal dated September, 1986, for redevelopment activities in Redevelopment Area No. 39 - North

Shore, located in portions of the 22nd Ward and 23rd Ward of the City of Pittsburgh; approving Modification No. 4 to the Redevelopment Area Plan, and making certain findings related thereto." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Wagner:

In regard to Bill No. 1442, we had a public hearing on that bill a week and a half ago and at that time I requested a listing of all businesses within that redevelopment area that would be impacted by the proposed development. I received a letter from the Deputy Executive Director of the URA, Mr. Raymond Christian, and there are seven businesses within that area totaling approximately 70 employees.

I would simply like to make a request of Council through the form of a motion along with this bill that every attempt be made as early as possible to contact all of these businesses to make sure that they relocate within the City of Pittsburgh.

The Chair:

I agree. Is there a second?

Michelle Madoff seconded the motion.

Which motion prevailed.

The Chair:

I'd like to have a letter attached with this, Mike.

Also,

Bill No. 1582

A Resolution entitled, "Resolution

providing for an Agreement, or Agreements with a Consultant or Consultants for a Transportation Systems Management (TSM) study in portions of the Squirrel Hill area in the City's East End."

Which was read.

Also,

Bill No. 1583

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any in and to the publicly owned property in the 5th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot No: 10N-79 under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1584

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any in and to the publicly owned properties in the 5th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot Nos: 10J-343, and 10J-344 under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1585

A Resolution entitled, "Resolution approving the execution of a Contract for Disposition of Land by and between

the Urban Redevelopment Authority of Pittsburgh and Caraway and Lillie E. Houston for the sale of Parcel 47 in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32 (RESALE FOR REHABILITATION)."

Which was read.

Also,

Bill No. 1586

A Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various redevelopers for the sale of various properties in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27 (REAR YARDS)."

Which was read.

Also,

Bill No. 1587

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Larry Johnson for the sale of Parcel 111 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27 (RESIDENTIAL REHABILITATION)."

Which was read.

Also,

Bill No. 1588

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Donald A. Spencer for the

sale of Parcel 35 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27 (RESIDENTIAL REHABILITATION)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 1692

Report of the Committee on Public Safety for October 22, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1598

A Resolution entitled, "Resolution amending Resolution No. 598, effective July 15, 1986, entitled: 'Resolution

providing for a Contract or Contracts or the use of existing Contracts for the purchase, installation and construction of fencing for the Police Firearms Range, by increasing the total allocation by \$5,000.00 for the Department of Public Safety."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 1693

Report of the Committee on Engineering and Construction for October 22, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1571 ..

A Resolution entitled, "Resolution providing for a Contract or Contracts for the Rehabilitation of the Charles Anderson Bridge over Boundary Street; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1572

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for lighting installation or replacement at various park facilities; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1611

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Reconstruction of the Department of Public Works' Second Avenue Buildings and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Givens:

If I could have Janet Fingers and the Principal from the Thaddeus Stevens School, Mr. Donald O'Rourke and Mary Miller and one of the other teachers back there, if you might just come up here if you have some good words to lend.

Mr. Givens presents

No. 1695 WHEREAS, the students at Thaddeus Stevens School would like to join with the faculty and parents to publicly honor Janet Fingers; and

WHEREAS, this public honor is in appreciation of her past and present services rendered to the students at Thaddeus Stevens School; and

WHEREAS, for a period of sixteen years Janet Fingers has unselfishly given of her time in the Thaddeus Stevens School Gymnasium and schedules her own work for evenings to generously accompany students to and from events; and

WHEREAS, Janet Fingers' concern for the spiritual, social, and physical well

being of the students has enriched the lives of thousands.

NOW, THEREFORE,

BE IT RESOLVED, that the Members of Council of the City of Pittsburgh join with the students and faculty of Thaddeus Stevens School in extending our commendations to Janet Fingers for dedication, devotion, and service.

Mr. Givens moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Givens:

I'd like to bring some people up. First of all, I'm going to hold Janet until the very last. If I could call on the Principal of the school, Donald O'Rourke to say a few comments in regards to this.

Mr. O'Rourke:

It sure is a pleasure to be here in City Council with Janet. I've only been at the Stevens School for a year or so but the wonders that I've seen that she's done with the students in the thousands, not just the few that I've seen go through her hands in working with the teachers and myself and the community. She's a sincere, dedicated person to give that much time of her life to the students of Elliott, West End, Esplan, Broadhead Manor and many other students that come from the City of Pittsburgh. So, it's my real pleasure to be here with Janet and have the opportunity to work with her for the year and a half that I've been with her. So, many, many congratulations again.

Mr. Givens:

If I could get Mary Miller to come up here to say a few kind words. Mary was the person who brought this to my attention along with many other neighbors in that community.

Ms. Miller:

Thank you. I'd just like you all to know Janet Fingers. She is a beautiful person and she has helped us alot. Thank you.

Mr. Givens:

We have a few of the students right here that might be able to offer some kind words and some personal comments as to what Miss Fingers has done for you.

Student:

I just want to say that she's the best I have ever known.

Student:

She is really nice and she helped us alot.

Mr. Givens:

I'd like at this time to bring up Janet.

Ms. Fingers:

I'd like to thank everybody who has been involved with everything that I've done down at the school. I'd like to give my appreciation to Mary Miller, Don O'Rourke, Pat DiNardo, Barb Jett, Janet and Kelley, and this is Jeff Rectenwald. I'd like to thank everybody that is here also. Thank you for your kindness.

The Chair:

Thank you.

Michelle Madoff:

Mr. President and members of Council, I have never really been a sports fan but I have been trying to be one. It took six years to get tickets to the Steelers; I waited in line patiently for my turn to come to fruition and although I have wonderful seats, they are now in the back with the draft. I have been trying to take some time really to monitor what's going on at the Stadium and I have two very major concerns.

One of them is that there just isn't enough parking available and there have been some suggestions made for alternative kinds of parking where people could park in the City and have some kind of boat take them across, not just the boats that the Conleys provide but perhaps the Conleys could expand their fleet to make transportation available.

But the kind of thing that I'm really concerned about is that we are towing cars. I drive by and I see people who are attending the games, their cars being towed, when they're in innocuous places, not bothering anybody, but because we say they shouldn't be there, without any rhyme or reason. On the periphery of the parking lot going to the inner circle parking there is room for about 100 cars and we just tow them for no reason, none. I want to have that discussed in Council at a post agenda.

I also am concerned about the fact that if you leave a few minutes early, or you leave at any time before the game, invariably you will get beer poured on you, you will have cars splattered with beer, you have bottles dropped, which is why I really started to go as frequently as I do. Metzenbaum's press secretary

was missed by a bottle by about two inches which would have been a national story. We don't need that kind of news coming out of Pittsburgh.

I am not happy with the kind of security that is being offered at the Stadium. I do not know, I just learned from Mr. Lally today who the Stadium guard company is. If they're not being paid enough to provide enough security people then pay them more. But something has to be done about security at the Stadium, particularly during the Steeler games and obviously during the Pirate games as well.

I would like to hold a post agenda inviting whoever handles the traffic for the City of Pittsburgh Police, why we are towing these people. We don't need the money that badly to discourage people who need the parking spaces. Item one.

Invite the Conleys or anyone else that would be suitable to provide parking and some transportation over to the Stadium. I don't know what happened to Mr. Wagner's idea of the aerial but perhaps he would like to have some people here at that time to talk about that concept.

I would like to have the Stadium management and people from the Stadium Authority. Sophie, I'm sure, would recommend the right people and tell us who the right people should be from the Stadium Authority. Whitmer, yourself, who else?

Mrs. Masloff:

Mr. Scanlon, Mr. Bergen.

Michelle Madoff:

The decision makers. All of them. And I want to know what we can

do to stop this terrible vandalism. It's not funny to have cups and bottles and beer poured over you, and this is not once, it's not twice, it's all the time. And when people are going out at the end of a game, they are being jostled, there are no police officers, there's nobody there with dogs. So, I want somebody from our Police Department to see whether we can provide police protection, and I want the private security company here. I want somebody from that company here to tell us why they don't provide enough guards. Maybe they're not being paid enough. And I want the people who make the decisions at the Stadium, I want it monitored. I'd like that held A.S.A.P. and I would be very happy if you do it on a day, Mr. President, it does not necessarily have to be a post agenda; it could be on a day that we're having another hearing. That might be more convenient for people. I'd like to do it as a post but if it becomes necessary, we'll do it as a hearing. Let's hope we can avoid that.

The Chair:

I have one announcement. Everyone knows that the Bloomfield Bridge will be opened Saturday at 12:00 and everyone is invited to walk across the bridge to the Polish Hill side. Everybody in the Bloomfield community is having some festivities and everyone is invited.

Mrs. Masloff:

Also there's going to be a wedding performed.

And on the motion of **Mr. Grabowski**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

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No. 42

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, November 3, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

We're going to take some resolutions first but we have one that we would like to give out now. Could I ask Mrs. Sophie Masloff to come forward,

and this one you're going to love.

Mrs. Masloff:

Al, before I call you to present this resolution to you I want to say that while we're delighted to have you with us today to honor you for your turkey promotion, I must say in all candor, that there have been occasions where you have been referred to as "that turkey" for your occasional roasting and carving up of us public officials.

Others who have been subjected to your gobbledegook have mentioned in passing that perhaps it should be you who should be stuffed rather than a turkey.

Of course, I would not be a party to nor condone such rantings as my affection for you knows no bounds. I would hope that you keep this in mind when my performance in these august Chambers does not measure up to your high standards.

But seriously, Al, to paraphrase the immortal Bard -- "We have not come here to bury Julius but to praise him."

And that is the sincere intent of the resolution I am presenting in Council today -- to express the appreciation of Members of Council and the community for the substantial assistance you have given to needy families during the Thanksgiving holiday the past five years through your highly successful Julius' Turkeys Promotion on KDKA TV.

Al, would you come forward for the

presentation?

The Chair:

And you better bring some help with you.

Mrs. Masloff presents

No. 1755 WHEREAS, since 1982, KDKA-TV has conducted an annual charitable campaign known as Julius' Turkeys in which they provide free Thanksgiving turkeys for needy and unemployed families; and

WHEREAS, this whole charitable effort began when an anonymous viewer sent Al Julius \$10.00 and asked him to buy a Thanksgiving turkey for a family in need; and

WHEREAS, the generous public support of this charitable effort has generated steadily increasing contributions to purchase more and more turkeys, beginning in 1982 with \$90,000.00 for 9,000 turkey to last year's \$360,000.00 for 36,000 turkeys; and

WHEREAS, most contributions come from individuals who know that their money goes directly to needy families without any draining of funds for operating expenses because of the assistance of the Greater Pittsburgh Community Food Bank in establishing a distribution network and \$10.00 turkey certificates redeemable at area grocery stores.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby commend KDKA-TV's tremendous charitable effort in raising more than \$1 million to provide over 100,000 Thanksgiving turkeys these past four years to needy families in the Pittsburgh area; and

BE IT FURTHER RESOLVED, that we urge everyone in the Pittsburgh metropolitan area to contribute generously to Julius' Turkeys so that Thanksgiving can be a blessed celebration of plenty for every local household in 1986.

Mrs. Masloff moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Julius:

Sophie, thank you very much.

As you know, I am not known for my modesty nor for my tact, but I will tell you that I am known probably for just telling the truth the way I see it which is certainly not the way you people see it. But the truth of this resolution is that I am just a conduit for the money; and that's a fact.

People have donated to Julius' Turkeys and the money came and went immediately to the people. Every dollar that came in. There were no expense accounts; there were no administrative overheads. Every dollar that came in went to somebody.

Michelle Madoff:

Do you have receipts?

Mr. Julius:

The Food Bank has receipts.

So, when I accept this, I'm accepting this on behalf of the thousands, actually the tens of thousands of people who donated to Julius' Turkeys.

As Sophie said, the money came in

\$10 checks, most of it. As far as I know, nothing came from corporations. The only corporation I do have to thank is KDKA for allowing me to do something like Julius' Turkeys, for giving me the freedom to speak my mind, which in essence made Julius' Turkeys successful. And also I have to thank you people of Council whose actions and inactions have given me so much material for so many commentaries. You too have contributed to whatever success I have had and in a way to Julius' Turkeys.

Take your best shot. I recognize Michelle.

Michelle Madoff:

This turkey would like to give \$20 towards the turkeys.

Mr. Julius:

That's very nice of you, Michelle. Thank you very much.

Mr. O'Malley:

I agree with Sophie; I don't always agree with your commentary but one thing we do agree on is the good work and the good will that you created by Julius' Turkeys and I certainly support it and I would urge you to keep up the good work.

Michelle Madoff:

Just take it easy on us, will you?

Mr. O'Malley:

No, don't take it easy on us. Keep us moving

Mr. Wagner:

Al, I owe you a few after last week

and I did agree with you but in regard to this, I really compliment you for it. I compliment you most because I think Thanksgiving is such a significant holiday in our country and it means so much to anyone and everyone in America and it's a way of helping people realize that people are caring for them and thinking about them and I just think it's fantastic.

Mr. Julius:

I think that you people are aware probably more than anybody about the hunger and the unemployment that exists in this area. If you tear down over on Second Avenue, J & L, and people think that because you erased J & L you've erased the problem of unemployment. You can't see J & L anymore so you can't see those people who are unemployed. That's wrong and you people know it as well as I do. That's why this year is probably going to be the toughest year of all to raise money because a lot of people say, "Hey, it went away, things look better, things are coming back, employment is coming back to the City", and all the rest, and you people know what kind of employment is coming back to the City and you know how bad it really is. So it's going to be a tough year this year.

Michelle Madoff:

Do you want to give him some money for a turkey? Come on, Ben, ante up, ante up, Ben. A little money for some turkeys.

The Chair:

You paid for me.

Michelle Madoff:

No, not for you, honey. I mean, we've got a thing going but you have to pay for your own way.

Mr. Givens:

Al, the tradition that you have started is commendable, especially for KDKA TV and it's something that, I think, other people have tried to do within the City. I remember my own experiences of being in the U.S. Military in far flung areas of the world, and I mean some far flung areas of the world, and it was always an endeavor, at least at Christmas and the holidays, New Years and Thanksgiving, etc., that the men in the field, and the women, receive a turkey dinner. That is traditional with all of America and for you to help the people that need it out there the most and having that particular season go by, but for it to be the land of plenty, then hopefully everyone will receive at least part of that turkey that you have gendered up through your campaign. Thank you, Al Julius.

Mr. DePasquale:

I just have one complaint. When I was President of the Local down at Three Rivers, we gave turkeys to the members one year and I caught holy hell because we didn't have any kosher turkeys. I hope you have some kosher turkeys.

Mr. Julius:

You reminded me of something. I'm going to have to see if we can get some.

Michelle Madoff:

Could I please ask for Reverend Floyd W. Alexander to please step forward.

Michelle Madoff presents

No. 1765 WHEREAS, this year, the St. James A.M.E. Church celebrates its

120th Anniversary of worship and service in the East Liberty Community; and,

WHEREAS, founded in 1866, St. James has enjoyed a long and distinguished history as a vibrant voice for religious education, missionary zeal, housing for the elderly, family support services, and community activities; and,

WHEREAS, St. James African Methodist Episcopal Church continues to carry on its unique work in a spirit of love and dedication through the thirty-five lay organizations that bring the Church's vision into reality; and,

WHEREAS, St. James also has established an international character with activities such as entertaining Bishop Tolbert, then High Commissioner of Canada and Jamaica, hosting the Kuntu Repertory Theatre, and housing the Afro-American Institute of Music; and,

WHEREAS, the Church has conducted building campaigns for the establishment of community services such as the erection of the Sumpter Education Building and the Deaconess Home for the Elderly;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby extend our heartfelt congratulations to the people of St. James A.M.E. Church in East Liberty on the 120th Anniversary celebration of their spiritual service and fellowship.

Michelle Madoff moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Michelle Madoff:

Perhaps Reverend Floyd Alexander, the Pastor of the church for the past 13 years, would like to say a few words.

Reverend Alexander:

I certainly want to express my thanks to the members of Council for this resolution and say to you that we are striving to do everything that's positive to make East Liberty a better place to live and certainly counting upon you to help us to do the work that is so much needed. Thank you.

Michelle Madoff:

I think it's very important that you are dedicated to the community and helping everybody, not just East Liberty.

Council presents

No. 1758 WHEREAS, the recent bankruptcy case of LTV has caused severe distress with the LTV retirees as well as economic hardship in the Pittsburgh metropolitan area;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh supports the LTV retirees in their demands that the Federal bankruptcy court in New York City not reduce or eliminate their medical coverage, life insurance, supplemental pension benefits, or any other pension benefits; and,

BE IT FURTHER RESOLVED, that the Council forward this resolution to the bankruptcy court expressing the concern of the citizens of the City of Pittsburgh.

Also,

No. 1759 WHEREAS, the recent

bankruptcy case of LTV has caused severe distress with the LTV retirees as well as economic hardship in the Pittsburgh metropolitan area;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recommends that the Urban Redevelopment Authority joins with the Steel Valley Authority to intervene in the LTV bankruptcy proceedings with the purpose of protecting the best interests of the community in regard to tax base, land use, and the general public welfare.

Also,

No. 1760 WHEREAS, the recent bankruptcy case of LTV has caused severe distress with the LTV retirees as well as economic hardship in the Pittsburgh metropolitan area;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recommends that the Urban Redevelopment Authority and the Department of City Planning investigate the recertification of the LTV sites as redevelopment areas so that the land use can be redeveloped with maximum public and community input.

Also,

No. 1761 WHEREAS, the recent bankruptcy case of LTV has caused severe distress with the LTV retirees as well as economic hardship in the Pittsburgh metropolitan area;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh urges that work begin immediately on the Metal Retention Study to plan for reconstruction of a viable steel industry in the region with its proceedings to be open to input from community groups as to the scope and

direction of the study focusing its initial efforts on the electric furnaces of LTV South Side to determine whether these furnaces can be restarted as a stand alone hot steel producer or utilized in conjunction with currently closed and/or presently operating finishing facilities of LTV (Pittsburgh and Aliquippa), USX, Sharon Steel, Weirton Steel and Wheeling-Pittsburgh.

Mr. DePasquale moved to adopt the resolutions.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. O'Brien:

I appreciate what City Council has done and it's always nice to do business with a friendly Council. I'm sure that if we had a friendly steel industry throughout the country and it would cooperate with the people, as you Councilpeople have done here, we wouldn't have the problem that we have today.

When I appeared before you last Thursday, I didn't know how many of you Councilpeople knew Al Julius, but I just wanted to tell you that a couple weeks ago Al Julius buried the steel industry, he gave the eulogy. I'm just hoping that we're going to be able to resurrect the steel industry because the only way we can get away from giving turkeys is to have full employment, and there's no reason why we can't have full employment. The steel workers are willing to sit down with anyone throughout the country and try to resolve this situation.

No economy in the world -- You can't maintain an economy without a steel industry. The Chairman of Dupont said that about six months ago, the

Chairman of the Ford Motor Company said it, and Ted Turner, the owner of the Atlanta team, when he was conducting the summer games over in Russia. He was interviewed on the Ted Koppel show and he said that what the United States should be worrying about is their steel industry. And I think this is what the Steel Valley Authority is about to do and we appreciate the cooperation of the Council and the Mayor of the City of Pittsburgh.

Thank you.

Mr. Givens presents

No. 1764 WHEREAS, the current LTV bankruptcy proceeding threatens the security of the LTV retirees with the possibility of reducing or eliminating their medical coverage, life insurance, supplemental pension benefits, and other retirement benefits; and,

WHEREAS, work should begin immediately on the Metal Retention Study to plan for reconstruction of a viable steel industry in the region with proceedings to be open to input from community groups as to the scope and direction of the study focusing its initial efforts on the electric furnaces of LTV South Side to determine whether these furnaces can be restarted as a stand alone hot steel producer or utilized in conjunction with currently closed and/or presently operating finishing facilities of LTV (Pittsburgh and Aliquippa), USX, Sharon Steel, Weirton Steel, and Wheeling-Pittsburgh; and,

WHEREAS, City agencies should join with the Steel Valley Authority to intervene in the LTV bankruptcy proceedings with the purpose of protecting the best interests of the community in regard to tax base, land use, and the general public welfare;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh urges the bankruptcy court in New York City to protect the vital retirement pensions, benefits, and insurance coverage of the LTV retirees; and

BE IT FURTHER RESOLVED, that the Council urges the Urban Redevelopment Authority and the Department of City Planning to investigate the recertification of the LTV sites as redevelopment areas so that the land use can be redeveloped with maximum public and community input.

Mr. Givens moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Givens:

Mr. President, before we adopt that I think it's very obvious that there's four resolutions that you had submitted and the one resolution that I had submitted. Up until, I think it was Friday, I was knowledgeable of the fact that you were going to put in four. Prior to then and prior to the public hearing, all Councilmembers had received a letter from the Steel Valley Authority. In there I think they asked all the Councilpeople if they would put a resolution in. At that time my office then went to the Chief Clerk and asked if anyone had presented it up until that time and the answer was no, they did not. So my office then went ahead to take in what the letter to all Councilmembers so indicated and I came up with this particular resolution. But I think it's best to be left with Frank. If the Authority wants four separate resolutions, then that's the way it should go in. My particular resolution, even

though it was read and adopted and seconded, really took all four resolutions and combined them into one and I don't know what is the best appropriate way to present this to other government bodies, just in one resolution or in four resolutions, whichever you think would have the most weight and the most direction. I don't like to belabor you with that and I'm sorry I didn't have an opportunity to speak with you, Mr. O'Brien, but --

Mr. O'Brien:

The main purpose is that the resolutions get there.

Mr. Givens:

Just so that they get the total picture, not just the bankruptcy but we're asking other agencies within, like the Urban Redevelopment Authority, to look into certain aspects of it, and maybe it would be best just to send one directly to them. But I had thought that the context of all four in one resolution would be probably something that would be more informative to the bankruptcy jobs as well as the URA people, as well as to our Legislators in the State House, to know that -- I have a bit of a problem when I have four pieces of paper and one of them gets lost. At least this one, there is a bill, a bill number, and it covers all four subjected areas.

The Chair:

And what happens if you lose that one? You're out of luck.

Mr. Wagner:

Mr. President, may I comment? I just wanted to mention in regard to the resolutions, the various ones, and the comment that I made at the public hearing about other governmental

entities and City Councils in Western Pennsylvania hopefully passing similar resolutions, I think the only resolution, one or two, pertain to the bankruptcy. The area relating to J & L within the City, I think, is more of a City resolution than it is other municipalities. Consequently, I would just suggest that those resolutions be forwarded to the appropriate municipalities. Hopefully they'll pass them and then send them on to the New York City Bankruptcy Court, as we are doing.

Mr. DePasquale:

To elaborate on what Jack said, Frank and Mr. President, and we discussed it at the hearing, one of the gentlemen brought up that there should be some sort of task force or committee composed of elected officials in Western Pennsylvania and Eastern Ohio, as far as Cleveland, and Northern West Virginia. I think that it would have more input there than a resolution. A resolution means well and it's a good thing, don't get me wrong. Some people may listen to them, some people may not. But a task force composed of the people I'm talking about I think would bring a lot more pressure on these people to do something because it's obviously a desperate situation.

The Chair:

The City Clerk is preparing the letter now; he's getting peoples' names from all over the Tri State area so that we can send a letter here from Council asking to help us form this task force along with yourselves. I spoke to Judy about this in my office shortly before we came to the meeting.

Michelle Madoff:

I have a question and a statement. Has the Mayor supported you on this, and the Commissioners, and the Governor?

Mr. O'Brien:

Yes, the Mayor is in full support, and he donated —

Michelle Madoff:

And the Commissioners?

Mr. O'Brien:

And the Commissioners. We're working with the Commissioners on the Bond Commission. There's room for a lot of players in this thing.

Michelle Madoff:

The point that I wanted to make is that with all the resolutions that were made, probably the one that must be addressed immediately is that people do not feel a cut on somebody else's finger. So we have to make them feel it by saying, if we don't have medical coverage, and we can be cut off at our job, it can happen to you. And if we don't get our pension benefits, it can happen to you. And I'm hoping that whoever is listening in your organization will start getting the message out. It isn't just us; it could happen to you. We never thought it would happen to us; it could happen to you. And that's where people live, where it could happen to them.

Mr. O'Brien:

Thank you very much.

Mr. Givens presents

No. 1763 WHEREAS, Giant Eagle Markets, Inc. has announced its plans to open a retail beer sales "warehouse" in a former supermarket facility at 78 Penn Circle West in East Liberty; and

WHEREAS, the proposed facility is

immediately adjacent to a senior citizen's apartment complex known as East Mall Apartments and was constructed with the intent of attracting a food store to serve said complex; and

WHEREAS, business, political and community leaders from the East End, as well as residents of said complex, have expressed their outright opposition to the granting or transfer of a retail beer sales license by the Pennsylvania Liquor Control Board to Giant Eagle Markets, Inc. to open such an operation.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby requests that the Pennsylvania Liquor Control Board refrain from issuing a retail beer sales license for the aforementioned location until a public hearing has been scheduled and held in Pittsburgh for the purpose of ascertaining the impact such an operation would have on the surrounding community; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh will immediately ask the City Planning Department to prepare amendments to the zoning code of the City of Pittsburgh to further restrict the area and the conditions under which such an operation can open in the event the Pennsylvania Liquor Control Board fails to respond in this very instance in a manner deemed appropriate and fitting.

Mr. Givens moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Givens:

I'd just like to say a few words. Both Representative Frank Pistella and

myself, representatives from Senator Spector and Senator Heinz's office, have been a part of various meetings. There have been several meetings that have been conducted there and the impact of all this to restrict this from ever opening up. If it does, I don't know if you're familiar with that address and where its located at, but as you come in Penn Avenue, right underneath the arch, that's the high-rise for the elderly and that's the arch, and right adjacent to that is a nice commercial store which is now going to be a Beer World.

I have Dolores who is from the community and from that particular high-rise for the elderly to say a few words on behalf of the senior citizens who are located in that particular building.

Ms. Sanchez

This is unexpected by I do have on behalf of all of the retired people, myself being one of them, we need a store. We will have no access to food. We will have the older people, the people who cannot walk. The people on crutches and in wheelchairs will have to be carried to the other areas and you know what that is, they'll have to drive.

Also, we do not need a beer distributor in the area. I, myself, have been attacked by people who have received liquor in the back of the apartments.

We are asking you, please, to favor this proposal, to go along with us. I am a representative for many, many people and we are here just to say please hear us. We need a food place there, both for the redevelopment of East Liberty, to bring stores back that were there when I was a child, and that was quite a while ago. Also, we need access to a food store, not to a beer distributor. Help us,

and thank you.

Michelle Madoff:

Have you spoken to the East Liberty Association? Are they supporting you on this?

Ms. Sanchez:

Yes, we have had meetings previous to this time. We have asked for media support.

Michelle Madoff:

And there's a public hearing scheduled, Mr. Givens?

Mr. Givens:

I just noticed Mr. Flaherty introduced a piece of legislation requesting a public hearing. The people out there have a petition to go before the Council for a hearing predicated upon the Liquor Control Board and what they do.

Michelle Madoff:

I think what they're saying is that perhaps the President of Council would schedule a hearing so that we would petition the Liquor Control Board not to give them a license. After the fact holding a hearing isn't going to do us any good.

Mr. Givens:

We're asking the Liquor Control Board to have a public hearing here in Pittsburgh. We want to hear from the Liquor Control Board whether or not they'll do that. If they do not do it, then the appropriate body to come before would be the Council of the City of Pittsburgh.

Michelle Madoff:

I respectfully disagree and I'm worried. If we wait to see what the Liquor Control Board does, it may be too late. I think we need a public hearing, a public airing of the problem, and get a message to the Liquor Control Board before they even think about giving them a license.

Mr. Givens:

Michelle, we have legislators in that district that are going to hand-carry this petition along with letters that they've already sent from their office. We will be hearing from the Liquor Control Board very quickly.

Michelle Madoff:

So you're not concerned about whether we have a hearing in a hurry?

Mr. Givens:

It leaves other branches of government to have an opportunity to take care of an appropriate course of action before we jump up and start running.

The Chair:

Thank you very much, Mr. Givens.

Mr. DePasquale presented

No. 1698 Resolution providing for the issuance of a warrant in favor of Trumbull Corporation (Perry J. Dick, President) in the amount of \$2,103.37 in payment of Extra Work, being in addition to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street, Phase I; and providing for the payment thereof,

Charging the same to the Grant Street Trust Fund. Prior approval granted by Council August 27, 1986.

Also,

No. 1699 Resolution providing for the issuance of a warrant in favor of Conn Construction Company (Converse Branscome, Jr., President) in the amount of \$1,434.14 in payment of Extra Work, being in addition to the original contract price of \$2,536,174.03 on Controller's Contract No. 27563, furnished for the benefit of the City in connection with the Reconstruction of the Pennsylvania Avenue Roadway and Bridge; and providing for the payment thereof, charging the same to the Pennsylvania Avenue Bridge Trust Fund, Index Code No. 253070. Prior approval granted by Council September 10, 1986.

Which were read and referred to the Committee on Finance.

Also,

No. 1700 Repealing Resolution No. 593, effective July 15, 1986, entitled, "Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the design for increased illumination in Market Square; and providing for the payment of the cost thereof not to exceed \$5,000.00, payable from Code Account PW 83-26.

Also,

No. 1701 Resolution amending Resolution No. 1040, effective December 6, 1983, entitled, "Providing for an Agreement or Agreements with Michael Baker, Jr., Inc., for Preliminary Design and License Application in connection with the proposed Hydroelectric Project at Allegheny River Lock and Dam No. 2; and providing for the payment of the

cost thereof;" by amending the title to read Consultant or Consultants and by increasing the total project allocation from \$315,000.00 to \$390,000.00 chargeable to and payable from the following Code Accounts: PW 83-40, \$315,000.00 and EC 86-91, \$75,000.00 = \$390,000.00.

Also,

No. 1702 Resolution further amending Resolution No. 1283 of 1985, as amended, entitled "Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program" by creating two (2) new line items and adjusting the Summary Total.

Also,

No. 1703 Resolution providing for a contract or contracts, or use of existing contracts, for the relighting of Sullivan Field; and providing for the payment of the cost thereof. Chargeable to and payable from Code Account EC 86-92. At a cost not to exceed \$70,000.00.

Also,

No. 1704 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting authorization for himself, Paul Wolfe and William Siess to travel to Indianapolis, Indiana to view and discuss their "Market Street Project" which is similar to our Grant Street, Phase I Project on October 28, 1986, at a cost not to exceed \$725.00, payable from Code Account 1482, Miscellaneous Services. Prior approval granted by Council October 21, 1986.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 1705 Resolution transferring the amount of Fifteen Thousand (\$15,000.00) Dollars from Code Account 1612-1, Repairs, Index Code 161216, to Code Account 1610, Miscellaneous Services, Index Code 161000 and Ten Thousand (\$10,000) Dollars from Code Account 1611-1, Utilities, Index Code 161117, to Code Account 1502, Miscellaneous Services, Index Code 150201, all accounts within the Department of Public Works.

Which was read and referred to the Committee on Finance.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 1706 Resolution granting unto Kenneth and Celeste Martin, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a house and steps encroachment in a portion of the right-of-way of Yew Street in the 8th Ward of the City of Pittsburgh.

Also,

No. 1707 Resolution accepting the dedication of certain property from Signet Associates which is located between Pulaski Way and Wiggins Street

in the 6th Ward, City of Pittsburgh.

Which were read and referred to the Committee on Public Works

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 1708 Resolution granting unto Ron and Denise Daugherty, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an off-street parking area on a portion of the unimproved Reese Street in the 19th Ward of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1709 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 9, by changing: From "R1" One-Family Residence to "C1" Neighborhood Retail District all that certain property bounded by Brownsville Road; Lauch Way; Clifton Street; Askal Way, 29th Ward.

Mr. Grabowski:

Mr. President, I move to hold a public hearing on that bill.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 1710 Resolution approving a Conditional Use Exception under Section 993.01(a)(25) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, to McDonald's Corporation, lessee, and Jiffy Lube Company, sub-lessee, for authorization of a unit group building development to allow construction of a Jiffy Lube Building in addition to the existing McDonald Restaurant on property located on the corner of West Liberty Avenue and Wenzell Avenue, 19th Ward.

Also,

No. 1711 Resolution providing for Agreement(s) with the Health and Welfare Planning Association for the Administration of "Commission on Families", cost not to exceed \$50,000, chargeable to 1976 CDBG-ULO Project No. 4-40-05-0200-76-907-76-35.

Also,

No. 1712 Resolution approving execution of Contract by and between URA and John Pritchett, Jr. and Ann Pritchett for the sale of Block 22E Lots: 246 and 247 in the 21st Ward for \$550.00 — Residential Land Reserve Fund. (1443-41 Warner Street)

Also,

No. 1713 Resolution approving execution of a Contract by and between URA and Ralph C. Johnson and Fannie M. Johnson for the sale of Block 23F, Lot 303 in the 25th Ward for \$1,200.00 — Residential Land Reserve Fund. (312 Jacksonia Street)

Also,

No. 1714 Resolution approving execution of Contract by and between

URA and Garfield Jubilee Association, Inc. for the sale of property in the 10th Ward for \$5,500.00 — Residential Land Reserve Fund (530 N. Atlantic a/k/a 330 N. Atlantic Ave.) Block & Lot 50G-40B

Also,

No. 1715 Resolution authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 21st Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot(s): 22E-247 under the Residential Land Reserve Fund.

Also,

No. 1716 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Dorothy Ringgold and spouse if married, and designated as Block and Lot 22P-337 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 1717 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Ricardo P. Gurjardo and designated as Block and Lot 23F-303 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 1718 Resolution authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 25th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot(s): 23F-178 under the Residential Land Reserve Fund.

Also,

No. 1719 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Jeremiah F. Dillon and Susan Dillon and designated as Block and Lot 22P-337 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 1720 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Recon Land Company and designated as Block and Lot 22G-87 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 1721 An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum

question as to whether or not said voters are in favor of amending the Home Rule Charter to provide for the election of City Council Members: 1) Nine at large, or 2) Nine by district only or 3) a combination of seven by district and two at large. (SPONSORED BY MICHELLE MADOFF)

Also,

No. 1722 Resolution providing for the transfer of funds totaling Four Hundred and Sixty Thousand (\$460,000) Dollars from various Code Accounts to Code Account 1132-2, Index Code 113225, Telephone Services and Equipment, Department of General Services.

Which were read and referred to the Committee on Finance.

Also,

No. 1723 Resolution providing for the letting of a contract or contracts, or for the use of existing contracts, for various energy conservation projects in an amount not to exceed Twenty Thousand (\$20,000) Dollars, chargeable to and payable from Code Account 4-30-01-0004-86, (GS8604), Index Code 370569, Energy Conservation, Bureau of Repairs and Operating Maintenance, Department of General Services.

Also,

No. 1724 Resolution providing for the letting of a contract or contracts, or for the use of existing contracts, for various public buildings maintenance services in an amount not to exceed One Hundred Thousand (\$100,000) Dollars. Funds are available in Code Account 4-30-01-0003-86 (GS8603), Index Code 370510, Bureau of Repairs and Operating Maintenance, Department of General Services.

Also,

No. 1725 Resolution providing for a professional services agreement or agreements for "Hands-On Driver Training" for the Department of General Services, at a cost not to exceed Forty-Eight Thousand (\$48,000) Dollars, chargeable and payable from Code Account 1128, Index Code 112805, Miscellaneous Services, Department of General Services.

Which were severally read and referred to the Committee on General Services.

Also,

No. 1726 Resolution authorizing the Public Safety Department to enter into an Agreement or Agreements for services and materials to conduct a Public Service Campaign for the purposes of promoting the City's non-emergency telephone number, not to exceed \$2,000.00. (SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Public Safety.

Mrs. Masloff presented

No. 1727 Resolution authorizing the transfer of funds as invoices are submitted for the purchase of Asphalt at a cost not to exceed \$75,000.00 from Code Account PR86-02, 4-10-10-0002-86, Index Code 320895 in the Department of Parks and Recreation to the Department of Public Works Code Account AR, Asphalt Reimbursement Trust Fund, Index Code 250100.

Also,

No. 1728 Resolution transferring \$17,185.37 in appropriations from Capital Budget Project PR86-02, 4-10-10-0002-86, Index Code 320895,

Resurfacing of Park Roads to Project PR86-04, 4-10-15-0008-86, Index Code 322875, Play Equipment in the Department of Parks and Recreation.

Which were read and referred to the Committee on Finance.

Also,

No. 1729 Resolution providing for the filing of application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Environmental Resources, for a grant in connection with the improvement and renovation of Schenley Park through the Department of Parks and Recreation; providing for the creation of the Pennsylvania Conservation Corp Trust Fund.

Also,

No. 1730 Resolution providing for the letting of a contract or contracts, or the use of existing contracts, for the furnishing and delivery of various play equipment for the Department of Parks and Recreation, payable from Code Account PR86-04, 4-10-15-0008-86, Index Code 322875, Play Equipment, Department of Parks and Recreation, and for payment thereof not to exceed \$17,185.37.

Also,

No. 1731 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Betty Weber Hammer to attend the USTA Recreational Tennis Leadership and USTA National Junior Tennis in Los Angeles, California from November 14-16, 1986, at a cost not to exceed \$100.00, payable from the Special Parks Program Trust Fund.

Also,

No. 1732 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Janice Fraizer to travel to the Columbus Zoo for some on-the-job training in gorilla care from December 1-5, 1986, at a cost not to exceed \$500.00, payable from Code Account No. 1852, Miscellaneous Services.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 1733 Resolution providing for the issuance of a \$1,276.00 warrant in favor of Dorothy Wozniak in full settlement for property damage due to water breaks, charging same to Code Account No. 46, Judgment.

Also,

No. 1734 Resolution authorizing the issuance of a warrant in favor of Carnegie Mellon University, in payment of Labor-Management Committee training for the benefit of the City without previous authority of law; and providing for the payment thereof. Total cost not to exceed \$13,272.00, payable from the Labor-Management Committee Program Trust Fund, Department of Personnel.

Also,

No. 1735 Resolution providing for an Agreement or Agreements with an accounting firm to provide professional auditing services as required by the Pennsylvania Department of Labor and Industry in connection with the Job Training Partnership Act (JTPA) Program and providing for the payment of the costs thereof. The total amount payable under this Resolution will not

exceed \$30,000.00, payable from the JTPA Trust Fund.

Also,

No. 1736 Resolution authorizing the conveyance of property in the 25th Ward, Perrysville Avenue, Block and Lot 46-P-16, to the Perry Hilltop Association for Successful Enterprises for \$1.00. Property to be used in connection with renovation of Perry South Senior Citizen Center.

Also,

No. 1737 Resolution amending Resolution No. 903-I, approved October 13, 1986 for sale of a vacant lot (28th Ward) Block and Lot 67-L-162 to Roy R. Patterson and Concetta A. Patterson (W) for the sum of \$350.00. Resolution is to correct T.S. number, also Plan Lot number.

Also,

No. 1738 Resolution providing for the filing of a petition for the sale of certain property or properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 1739 Communication from Richard Caliguri, Mayor, City of Pittsburgh, requesting authorization for Jean M. Sickle to attend a conference sponsored by the PA Commission for Women in Harrisburg, PA on November 15, 1986, at a cost not to exceed \$200.00, payable from Code Account No. 1021.

Also,

No. 1740 Communication from Richard S. Caliguri, Mayor, City of

Pittsburgh, requesting authorization for David Donahoe to represent the Mayor at the "Partners for Livable Places" meeting in Washington, D.C. from November 13-14, 1986, at a cost not to exceed \$400.00, payable from Code Account No. 1017-09.

Which were severally read and referred to the Committee on Finance.

Michelle Maloff:

Point of order. Those introduced today probably should fall under Public Safety, but I just wanted to let you know it was introduced.

Mr. Wagner presented

No. 1741 Resolution providing for the issuance of a warrant in favor of International Business Machines Corporation, P.O. Box 12147, Philadelphia, PA 19105, in the amount of \$2,118.00 in payment for rental of equipment furnished for the benefit of the City, payable from the DPSTPP Code Account.

Which was read and referred to the Committee on Finance.

Also,

No. 1742 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase furniture for Emergency Medical Services and providing for the payment thereof at a cost not to exceed \$17,000.00, payable from the EMNEAS Code Account.

Also,

No. 1743 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for John Daniel to attend a National

Association for Children of Alcoholics Conference in East Rutherford, New Jersey, from November 14-15, 1986, at a cost not to exceed \$500.00, payable from the DPSTPP Code Account.

Which were read and referred to the Committee on Public Safety.

The Chair presented

No. 1744 Communication from Thomas Flaherty, City Controller, submitting the Fiscal Audit Report of Carnegie Institute as of December 31, 1985, pursuant to Resolution No. 42 of 1985.

Also,

No. 1745 Communication from Thomas Flaherty, City Controller, submitting the Fiscal Audit of the Bureau of Police - Service Branch, Department of Public Safety, of revenues collected from cash transactions for the years ended December 31, 1985, 1984 and 1983.

Also,

No. 1746 Communication from Thomas Flaherty, City Controller, submitting the Fiscal Audit of the Bureau of Building Inspection, Department of Public Safety, of revenues collected from cash transactions of the Office of Licenses and Permits as of December 31, 1985 and 1984.

Also,

No. 1747 Petition from the residents of the City of Pittsburgh requesting a public hearing concerning the proposed Beer-4-Less location in the East Mall, in the East Liberty section of the City of Pittsburgh and also request that the pertinent governmental and

private sector personnel attend this hearing. (This petition is valid in accordance with Section 320 of the Home Rule Charter.)

Also,

No. 1748 Petition from the residents of the City of Pittsburgh, requesting a public hearing concerning the issue of Pittsburgh "twinning" with a Nicaraguan City. (This petition is valid in accordance with Section 320 of the Home Rule Charter.)

Which were severally read, received and filed.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1749

Report of the Committee on Finance for October 29, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1612

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of General Roofing Company (D. Dale Hamilton, III, President) in the amount of \$7,348.60 in payment of Extra Work, being in addition to the original contract price of \$257,666.00 on Controller's Contract No. 27280, furnished for the benefit of the City in connection with the Emergency Jobs Bill - Roof Rehabilitation of Various City Facilities; and providing for the payment thereof."

Which was read.

Michelle Madoff:

I would like my comments from last week brought forward on Bill 1612.

(BEGINNING - MICHELLE MADOFF'S
REMARKS ON BILL NO. 1612 -
WEDNESDAY, 10/29/86)

Michelle Madoff:

Mr. McDermott, we have a contract to do roofs?

Director McDermott:

Yes.

Michelle Madoff:

We have a consultant to tell us how to do the roofs?

Director McDermott:

Yes.

Michelle Madoff:

We have a large number of dollars set aside to do the roofs, \$257,000.00.

Director McDermott:

Yes.

Michelle Madoff:

We need that like we need a hole in the head. People who do roofs know how to do roofs. They give you a price, and they tell you how to do the roof, and Mr. Wagner has made that point many times. Now, the question becomes why do we need \$7,000.00 more?

Director McDermott:

Well, the bill here identifies each one of the reasons that the money was needed for on four different jobs.

Michelle Madoff:

Why didn't we know that up front? We had a consultant?

Director McDermott:

When you start tearing the roof off, you find conditions underneath around the flashing and around the roof drains that are not visible until you start tearing things off.

Michelle Madoff:

I know that. I have lived in a home and had repairs, and I know when you do bridges you sometimes find things behind you that you don't know. But then what do you need a consultant for? Why are we paying a consultant? Why don't you just have a roofer go up, examine, and if he runs into a reasonable unexpected problem, and I'm not so sure that that should even be a factor because if he was in the private sector he would come up with a price and examine the roof and whatever price he came up with, he would be married to that price.

So, if a contractor came to my home and said he was going to do my roof for \$4,000.00 and he would examine it first and he would give me a price, he would know if the flashings were bad, and he would lift some of the tile up, and he would know up there, and if he couldn't do it for \$4,000.00 and make a profit, that's his problem. Why are we constantly giving the low bid and then coming back and giving extra money. All of the time.

Director McDermott:

We are not giving extra work. We are paying for --

Michelle Madoff:

The guy made a mistake.

Director McDermott:

There has been no mistake made. You don't have an understanding of the work that a consultant does in preparing the contract documents to go out for bid. You can't let a man come and tell you he is going to give you a price for performing a certain amount of work. You must establish what work you want done to receive the competitive bids that are necessary to proceed with the contract.

Michelle Madoff:

You mean you couldn't have four contractors go up on roofs and say give us a price for the work that we are going to have done and go with the lowest bidder.

Director McDermott:

Sure. You can do that as long as you hand them the contract documents telling them exactly the information they need so that they are all putting their prices on the same identical material.

Michelle Madoff:

If four contractors went up on all the roofs you want to have done, all four contractors having examined the conditions of the roof, could come back with a bid.

Director McDermott:

On what materials?

Michelle Madoff:

You mean you don't have that capacity with all the people that you have to know what the materials would be.

Director McDermott:

Oh, we know, and that's why we put the contract documents together --

Michelle Madoff:

And that's why you also hire a consultant after you put the contracts together --

Director McDermott:

The consultant puts the contract documents together.

Michelle Madoff:

You can't do it in house?

Director McDermott:

We don't have enough staff.

Michelle Madoff:

How many people do you have in staff?

Director McDermott:

In house, about 85.

Michelle Madoff:

You only have 85 people, and you can't put the contracts together.

Director McDermott:

This isn't the only contracts we are working on. We are working on over 100 and some contracts.

Michelle Madoff:

And with 85 people, you cannot deal on over 100 contracts.

Director McDermott:

No, we cannot.

Michelle Madoff:

What about in the private sector? Could 85 people --

Director McDermott:

No, they could not. We have about 1/3 of the staff that we need.

Michelle Madoff:

Well, I question that, and I am not very well versed on --

Director McDermott:

Well, you can question that.

Michelle Madoff:

But I will tell you that within a year I will be so versed on it, I could do your job.

Director McDermott:

Good. I'll move right away.

Michelle Madoff:

You can take my job.

THE CHAIR COMMENTS

Director McDermott:

Thank you.

Michelle Madoff:

We will swap jobs.

Director McDermott:

No, we won't. You come and take mine. You sit over here.

Michelle Madoff:

Paul, when I break the story of what is going on in the tab sheets in this City, it's going to be the biggest story that ever hit this City. Remember that, and you were forewarned, and in public.

(END OF REMARKS)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES 1

(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1621

A Resolution entitled, "Resolution transferring the sum of \$10,000.00, Ten Thousand, from Code Account No. 1167, Index Code Number 116707, Wages, Regular Employees, Department of Environmental Services, to Code Account No. 1160-1, Index Code Number 116012, Premium Pay, Department of Environmental Services."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1626

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of Three Thousand Two Hundred Eighty-Four Dollars and Thirty-Six Cents (\$3,284.36) for computer equipment unavailable from City's

existing contract in favor of BUSSINESSLAND for the Bureau of Information Systems, City Information Systems, Department of the Mayor, Code Account No. 1045, Index Code 104505, Equipment."

Which was read.

Also,

Bill No. 1627

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$25,000.00, payable to Gordon J. Isherwood, c/o William A. Weiler, Esquire, 4762 Liberty Avenue, Pittsburgh, PA 15224, in the full settlement of a claim for personal injuries and providing for the payment thereof."

Which was read.

The Chair

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1628

A Resolution entitled, "Resolution Repealing Resolution No. 334, Item C, approved April 10, 1985, which authorized the sale of property in the 17th Ward, being a lot located at Roscoe Street, designated as Block 13-B, Lot 19 to Beverly B. Petrone, for the sum of \$300.00."

Which was read.

Also,

Bill No. 1629

A Resolution entitled, "Resolution amending Resolution No. 36, Item J, approved February 4, 1986, amended by Resolution No. 335, approved April 23, 1986, which authorized the sale of property at 121 Cagwin Street, designated as Block 35-J, Lot 157 to John R. Kilkeary and Mary G. Kilkeary, his wife, for the sum of \$500.00."

Which was read.

Also,

Bill No. 1630

A Resolution entitled, "Resolution amending Resolution No. 202, Items C, G and J, approved March 19, 1986, which authorized the sale of property in various wards of the City of Pittsburgh. All of the properties are vacant land."

Which was read.

Also,

Bill No. 1631

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties, acquired at tax sales in

accordance with Act No. 171 of 1984. Properties are in various Wards of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1632

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Perkin-Elmer Corporation, in the amount of \$780.00 in payment for services furnished for the benefit of the City in connection with repairs to the Spectrophotometer; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill

pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Which was read.

Also,

Bill No. 1633

A Resolution entitled, "Resolution transferring \$7,000.00 from Code Account 1920 (192005), Salaries, Administration Division to Code Account 1921, Premium Pay, Administration Division."

Which was read.

Also,

Bill No. 1634

A Resolution entitled, "Resolution transferring \$35,000.00 from Code Account 1981 (198101), Premium Pay, Distribution Division to Code Account 1983 (198309), Supplies \$7,000.00 and to Code Account No. 1986 (198606) Materials \$28,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1635

A Resolution entitled, "Resolution authorizing the issuance of a warrant in the amount of \$1,550.00 in favor of Earnest and Willie Wilkerson, 2029 Fairlawn Street, Pittsburgh, PA 15221 in payment for emergency sewage work at 1936 Bedford Avenue, Ward 3, without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 1597

A Resolution entitled, "Resolution providing for the issuance of thirty (30) warrants in favor of State certified evaluators for the Public Safety Training Academy's Voluntary I Firefighter Certification Program and providing for

the payment thereof." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1683

A Resolution entitled, "Resolution transferring \$100,000.00 from Code Account 1977 (197707), Utilities to Code Account 1926 (192609), Non-City Water Agencies."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 1750

Report of the Committee on Public Works for October 29, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1652

A Resolution entitled, "Resolution providing for authorization to advertise for, award and enter into a Contract, Contracts, or use of existing Contracts for the purchase and/or installation, etc., of equipment, services, materials and supplies for emergency auxiliary air conditioning units for the Bureau of Cable Communications, Department of Public Works, and providing for the cost thereof, at a cost not to exceed \$17,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill

pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Grabowski presented

Bill No. 1751

Report of the Committee on Planning, Housing and Development for October 29, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1622

A Resolution entitled, "Resolution providing for the filing of Application(s) for financial assistance by the City of Pittsburgh with the Pennsylvania Department of Community Affairs, Commonwealth of Pennsylvania."

Which was read.

Mr. Givens:

Was anyone on Council informed that Strategy 21 -- Did we have many undertakings or any part as to

establishing the priorities within the City of Pittsburgh via Strategy 21? I ask that of my fellow Councilmembers. I know this Councilmember did not have any partaking of Strategy 21. As a legislative body, you would think that someone from Strategy 21, be it the Allegheny Conference, etc., would come down here and at least talk to the President of Council, maybe the Finance Chair, or any other committee that would be directly involved in Strategy 21 type of action. This has not happened and yet I'm asked to go to the State, the Pennsylvania Department of Community Affairs and ask for money now to fund Project 21 Strategies. I feel very offended, and the fact that I was not even brought in, discussed with, or had any dialogue as to undertaking the Strategy 21. Most of it I do not disagree with; however, I would have had some priorities or at least had them put on their agenda when they discussed some vital areas, especially affecting our neighborhoods within the City of Pittsburgh that apparently was never discussed.

Mr. Wagner:

Mr. President, if I may. I think Mr. Givens brings up a good point in that we need to see a priority list of what projects the Administration, the URA, Planning, feels are the priority projects. We know of several Stadium projects that are part of Strategy 21. The Pittsburgh Technology Center, the former J & L site, and small portions of the Strip Project are also part of that and I believe even today they mentioned something about Herr's Island could even be a portion of it. But we should know what the priorities are, where we're focusing our attention in pursuing these dollars. I would ask that we obtain a report of some type and maybe even, Mr. Givens, what we should do is simply set up a post agenda and maybe this coming

Wednesday would be a good time for it, to talk about these projects.

Mr. Grabowski:

Mr. President, I think that other members of Council make valid points here and perhaps the priorities that the planners have envisioned may not be the priorities that this Council would like to see. Perhaps we should look into this a little closer and I would move to recommit this bill.

Michelle Madoff seconded the motion.

Mrs. Masloff:

I'm opposed. I don't think we ought to lose an opportunity to file an application for this money. I think we should file the application for this money and then decide.

Mr. Pollock:

I'm also opposed.

Mrs. Masloff:

I think we're going to lose an opportunity. All we're doing is filing an application and then I think we can decide what we're going to do with it but if we lose an opportunity to file an application we may not get this money for any project.

The Chair:

I agree with Councilwoman Masloff. I think that we should follow her suggestion. It is an application.

Michelle Madoff:

May I ask a question since I seconded the motion? Is there a time frame constraint? If there is, I'll withdraw my second.

The Chair:

I have no idea.

Mr. Grabowski:

None that I'm aware of.

Mr. Pollock:

I agree with Mrs. Masloff. The last thing that should happen is that we should try to get this Council to come to a consensus as to an application because we'll never get an application in.

Michelle Maloff:

I withdraw my second.

Mr. Wagner:

I'll second it then, Mr. President.

Mr. Givens:

May I suggest to Council that any time you ask for money from the State that the State is required to know what the Strategy 21 is going to go forward with. Unless the bill depicts those subject areas, I do not know. Remember, Strategy 21 does not just include the City of Pittsburgh; it includes all of Allegheny County, in fact, our Southwestern region area for development. So, I want to be specific as to what this Strategy 21 is going to do for the City of Pittsburgh and what projects are going to be assisted by this money for the Strategy 21 to develop it, to get engineers to come in here, to get consultants in here, and to say what they are going to do. This money just doesn't come to Strategy 21 without strings attached in the State of Pennsylvania, I assure you. It comes to the City of Pittsburgh, hopefully, with the intent and the idea of putting certain projects in priority. I want to know what those

projects are, and I think the Chairman was absolutely right in holding this for one more week until at least this Councilman and some others can get some clarification on Strategy 21.

The Chair:

I disagree with you, Mr. Givens. I don't know what the time frame would be; it might be immediate. Anyone who has a concern now, I respect everyone's opinion, but this was here last Wednesday and no one said a word.

Mr. Givens:

I wasn't here last Wednesday.

The Chair:

Still, no one said a word last Wednesday and that's when it should have been discussed. We might be hindering this program by not applying for it. We don't know. You say no, I don't know. That's why I'm asking you to go ahead with it. Many, many times we've applied for money from the State or Federal Government and we've changed the priorities after we got the application in, even after we've gotten the money. You all know that.

Mr. DePasquale:

We're voting to allow an application; it's not binding legislation on Council.

The Chair:

Right.

Okay, we're voting on recommital. All in favor will vote aye; all opposed will vote no.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens Mr. Wagner
Mr. Grabowski

AYES 3 NOES 6

VOTING NO:

Mr. DePasquale Mr. O'Malley
Michelle Madoff Mr. Pollock
Mrs. Masloff Mr. Woods
 (Pres't)

And a majority of the votes of Council not being in the affirmative, the motion failed.

The Chair:

Now on the bill itself.

Mr. Wagner:

Mr. President, could I request that we ask the Administration to submit to us a priority list as it relates to this legislation?

The Chair:

Most definitely.

Mr. Wagner:

Thank you.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mr. O'Malley
Mr. Grabowski Mr. Pollock
Michelle Madoff Mr. Wagner
Mrs. Masloff Mr. Woods
 (Pres't)

AYES 8 NOES none

(MR. GIVENS ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff presented

Bill No. 1752

Report of the Committee on General Services for October 29, 1986 transmitting sundry resolutions to Council

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1468

A Resolution entitled, "Resolution amending Resolution No. 1283 of 1985, entitled: "Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program," increasing a line item and adjusting the Summary Totals."

Which was read.

Also,

Bill No. 1469

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts for the furnishing and delivery of Motorized Fire Equipment for the Department of General Services, and for the payment thereof."

Which was read.

Also,

Bill No. 1623

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts; or for the use of existing Contracts for the purchase and installation of approximately eight (8) Twin Post Hydraulic Lifts for the Department of General Services, Code Account 4-30-01-0001-86, (GS 86-01) Index Code 370320, Miscellaneous Equipment for City Departments of payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of

Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 1753

Report of the Committee on Parks and Recreation for October 29, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1664

A Resolution entitled, "Resolution providing for a license to Duquesne Light Company to install, use, operate, maintain, repair, renew and finally remove at its sole cost and expense, one (1) pole, together with crossarms, cables and wires, two (2) anchors, guys and necessary appurtenances on City property, Schenley Park, 14th Ward, designated as Block and Lot 27-S-150, in connection with electrical service to Pennsylvania Department of Transportation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner

Michelle Madoff Mr. Woods
Mrs. Masloff (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 1754

Report of the Committee on Engineering and Construction for October 29, 1986 transmitting sundry resolutions to Council

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1613

A Resolution entitled, "Resolution amending Resolution No. 145, effective March 3, 1986, entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the Shop Inspection of the fabrication of the structural steel for the Bloomfield Bridge, Phase IV; and providing for the payment of the cost thereof,' by providing for a Supplemental Agreement or Agreements and by increasing the total project allocation by \$638.03."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. DePasquale Mr. O'Malley
Mr. Givens Mr. Pollock
Mr. Grabowski Mr. Wagner
Michelle Madoff Mr. Woods
Mrs. Masloff (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1614

A Resolution entitled, "Resolution further amending Resolution No. 1283 of 1985, as amended, entitled: 'Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program,' by increasing two (2) line items and adjusting the Summary Totals."

Which was read.

Michelle Madoff:

Mr. President, I am going to vote no on four bills on principle. I am voting no because I am doing extensive research, and in depth research project on the outside consulting being done in this department. It has nothing to do with the bills per se but I'm consulting in general and I just wanted to state my reasons for the record.

Mr. Givens:

Mr. President, there one technical matter on Bill 1614. There are really two bills in one.

Michelle Madoff:

Why do you say that?

Mr. Givens:

I'm directing my attention primarily to the Chief Clerk. Mike, on Bill 1614 you have really two bills in one here. There's two line items to be changed to be changed, they're different in nature, and I've noticed this creeping into some of our bills. Each bill is supposed to be singular in nature, not multiple in nature. We have two appropriations in that particular bill.

I'll go along with it today but I would hope that when they come up in the future that you reject them and ask them for specific legislation. Each and every bill should be singular in purpose.

Michelle Madoff:

I second that.

Mr. DePasquale:

Mr. President, I share Michelle's concern in regards to the consultant fees. I'm just wondering if there shouldn't be some kind of a cap put on. I don't mean to ask for recommitment at this time or vote against it, but I think in the future we ought to look a little more closely at these consultant fees and talk to Director McDermott and see if he can get them down some. Some of them are a bit high.

Michelle Madoff:

Mr. DePasquale, thank you for your support. I want you to know that as of this date the consulting with Mr. McDermott came into his new job, although we are doing a lot more projects. It's already at \$4.8 million. Do you know we could build a building with

that?

Mr. Givens:

I just want to say that I echo the same concerns as Mr. DePasquale. For several years I voted against every consultant fee because I felt, and just this \$20,000 in this particular bill does not mean that the actual cost is going to be \$20,000. However, this Council is giving a blank check for this particular service and we don't know where it's really going to come out, probably someplace between the \$10,000 and \$20,000 expense. But we should have legislation before us to authorize it and again to approve it before it goes out on final.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1615

A Resolution entitled, "Resolution further amending Resolution No. 522, effective June 13, 1985, as amended by Resolution No. 1126, effective December 11, 1985, entitled: 'Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants for Engineering Services in connection with the Shop Inspection of the fabrication of the structural steel for the Pennsylvania Avenue Bridge; and providing for the payment of the costs thereof,' by increasing the total project allocation by \$3,478.64."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1616

A Resolution entitled, "Resolution further amending Resolution No. 294,

effective April 24, 1984, as amended by Resolution No. 1015, effective November 29, 1984, entitled: 'Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements with Robert W. Hunt Company (Daniel V. Biank, P.E., General Manager) for Professional Engineering Services in connection with the Steel Inspection for the Bloomfield Bridge, Phase III; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$34,809.40."

Which was read.

Also,

Bill No. 1617

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the In-Depth Inspection of the Fort Pitt Boulevard - Eastbound/Market Street Bridges; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1618

A Resolution entitled, "Resolution further amending Resolution No. 1372, effective December 23, 1982, as amended by Resolution No. 820, effective September 30, 1983, entitled: 'Providing for an Agreement or Agreements or Supplemental Agreement or Agreements, with a Consultant or Consultants for Engineering Services in connection with the Rehabilitation of a

portion of Fort Pitt Boulevard - Eastbound; and providing for the payment of the cost thereof,' by amending the title to include the Rehabilitation of the Market Street Overpass and by increasing the total project allocation by \$240,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1619

A Resolution entitled, "Resolution providing for a Contract or Contracts or use of existing Contracts, for the Rehabilitation of Swisshelm Park Playground; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1620

A Resolution entitled, "Resolution Repealing Resolution No. 880, effective August 31, 1981, entitled: 'Providing for an Agreement or Agreements or use of existing Agreements for professional services in connection with the Phase II Design of Volunteer's Field; and providing for the cost thereof.'"

Which was read.

Also,

Bill No. 1648

A Resolution entitled, "Resolution further amending Resolution No. 1283 of 1985, as amended, entitled, 'Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program,' by creating a new line item and adjusting the Summary Total."

Which was read.

Also,

Bill No. 1649

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the Design of the Emergency Operation and Communications Center; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1650

A Resolution entitled, "Resolution

amending Resolution No. 251, effective April 2, 1986, entitled: 'Providing for a Contract or Contracts, or use of existing Contracts for Renovations to a portion of the Third Floor, Public Safety Building, Police Administration Offices; and providing for the payment of the cost thereof,' by amending the title and by decreasing the total project allocation by \$65,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 1757 WHEREAS, on Sunday, November 2, 1986, The Champions Association in conjunction with Cameron Coca-Cola and the Pittsburgh Brewing Company will present "A Salute to Pittsburgh's Finest," honoring a dozen of our area's most outstanding community leaders and athletes; and,

WHEREAS, this year's featured honoree's include Bill Nunn, as he completes his twentieth year in scouting and management for the Pittsburgh Steelers; and,

WHEREAS, also being recognized for their outstanding community service to the people of Pittsburgh are Harvey Adams, Jr., President of the N.A.A.C.P., Bob Pitts, President of Black Catholic Ministries in the Pittsburgh Catholic Diocese, and Reverend Duane Darkins, Pastor of the Greater Pittsburgh Faith Tabernacle Church; and,

WHEREAS, the tremendous personal achievements of several local athletes are also being honored: Roger Kingdom, Lee McRae, Princess Johnson, Charles Smith, Jerome Lane, Mark Hassell, J.T. Thomas, and Dwight White.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby join with the Champions Association as they honor local community leaders and sports figures who have distinguished themselves with their personal achievements, social commitment, and exemplary behavior for Pittsburgh's youth.

Mr. O'Malley moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Grabowski presented

No. 1762 WHEREAS, the first POLISHFEST '86 will be held on Sunday, November 9, at the Soldiers and Sailors Memorial Hall in celebration of Polish culture in the Pittsburgh metropolitan area; and,

WHEREAS, the purpose of this festival is to bring together under one roof all of the diverse resources, colorful traditions, and hidden treasures that our area's Polish-Americans offer in music, song, dance, dress, crafts, history, religion, and culinary delights; and

WHEREAS, POLSHFEST '86, under the Directorship of Lawrence G. Kozlowski, has been organized by several local Polish churches, fraternal organizations, performing ensembles, and interested individuals in a show of solidarity and pride of culture; and

WHEREAS, Pittsburgh has long been noted for its rich diversity of ethnic cultures which has enabled us to be chosen as the "Most Liveable City in America;"

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby proclaim Sunday, November 9, 1986, as POLSHFEST DAY in the City of Pittsburgh as a tribute to the outstanding contribution of Polish-Americans to our City and our nation as we join in this wonderful celebration of culture, ethnicity, and tradition.

Mr. Grabowski moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Wagner presents

No. 1756 WHEREAS, in April, 1985, Council adopted the BOCA Basic National Existing Structures Code, 1984 Edition, as part of the Bureau of Building Inspection's overhaul of Pittsburgh's building code; and

WHEREAS, Section 302.1.1 of this Existing Structures Code provides for the display of street numbers on all structures in a position easily observed and readable from the public right of way; and

WHEREAS, in the interest of the public's safety, Pittsburgh property owners should clearly display their street numbers so that police, fire, and emergency medical officers can quickly spot the address from their passing vehicles in the event of a safety emergency; and

WHEREAS, the government of the City of Pittsburgh needs the responsible civic cooperation of the citizens of Pittsburgh in order to insure the delivery of comprehensive and efficient safety services.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby urges the citizens of Pittsburgh to clearly display their street numbers on all existing structures; and

BE IT FURTHER RESOLVED, that Council urges the Bureau of Building Inspection within the Department of Public Safety to enforce Section 302.1.1 of the BOCA Existing Structures Code in the interest of the public's safety.

Mr. Wagner moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Michelle Madoff:

Point of order. With all due respect to my colleague, I introduced this bill several months ago and it passed.

Mr. Wagner:

I don't recall it.

The Chair:

I don't recall it either.

Michelle Madoff:

Mike Perry, did I introduce this bill?

Mr. Perry:

I don't recall, Michelle. But if you say so, yes.

Michelle Madoff:

Does anybody remember? Do you know what I was told at the time? What I was told at the time was that it was already part of the Code and they're going to encourage people and they were working on it and amending the Code.

The Chair:

I think you're right, that it's already part of the Code.

Mr. Wagner:

Mr. President, if my colleague introduce it, I'm happy because it shows even more importance related to it. This is a very important resolution. The original intention I had and probably Michelle had also was to write an ordinance indicating that all buildings in this City —

Michelle Madoff:

All houses.

Mr. Wagner:

All houses must have numbers,

addresses, on them because that literally can be the difference between life and death for our emergency personnel responding to those homes, whether it be Fire, whether it be Paramedics, whether it be Police. This has been brought to my attention by the unions, particularly Mark Schneider of the Paramedics, and confirmed by the Police and Fire, that this is a serious problem in the City and probably one out of ten homes, at a minimum, do not have an address on them. On some streets where you don't have a building next door, and they are responding to an emergency, it can mean actually seconds, minutes, lost in the response.

What we are asking the Bureau of Building Inspection is to please begin to enforce this ordinance and we would like voluntary cooperation from the public to actually go out and to purchase the numbers, if you don't have them on your buildings, and if that doesn't happen in a voluntary fashion, what we're asking the Bureau of Building Inspection within the Department of Public Safety is to enforce the ordinance. Thank you.

Michelle Madoff:

I introduced a bill today to have a non-emergency 911 number that people can call. The gentleman, I have forgotten his name, who deals in Public Safety came to see me and this is one of the items we also discussed and there seems to be repetition here. We all seem to feel this is a very necessary bill.

It would appear to be that it might be appropriate to have a letter to Mr. Imhoff asking him when, how, and why because it doesn't mean anything if I introduce it and six months later somebody else introduces it and then six months later, Mr. Woods, you'll introduce it because someone will approach you. We need answers. When and how do they

plan to enforce -- does Mr. Imhoff plan to do his job?

Mr. Pollock:

I think the resolution is excellent. I don't remember, since I've been on Council -- Well, it hasn't been since I got here.

I think in addition, God knows how many dozens of thousands or hundreds of thousands of residences are in the City. By the time they get around to them it will be a hundred years. What I would ask is that when the City taxes go out next year, in the beginning of the year, that there be a copy of the ordinance in it saying what they could be fined and saying that the Building Inspection is going to start enforcing it. And that will put the fear in them and they will then go out and do it themselves.

Michelle Madoff:

Excellent idea.

Mr. DePasquale:

I agree that obviously that's an excellent resolution but I found through my experience that business establishments are more guilty than residences. If you go Downtown, nobody has a number in front of their building. Half the time you don't know where you are.

Mr. Wagner:

Mr. President, if I may. Mr. DePasquale is right. Businesses are more guilty than residences and we would ask them also, because they have the public within their businesses, to adhere to this ordinance.

I think Mr. Pollock's idea is excellent, if we could put it in with

either the taxes or the water bill or whatever. But what I would like the City Clerk to do is please send this resolution to the new Safety Director, Glenn Cannon, and also to the Bureau Chief, Mr. Imhoff, and ask for enforcement.

Mr. Pollock:

One other letter should go out. I think the Bureau of Cable should get it and ask them to put a little notice on their revolving things. They could put language on saying that it is a crime to not have a street number and that you can be fined up to \$1,000.00. That, too, might help.

Mr. Wagner presents

No. 1801 Resolution approving the appointment of Constance Wellons 120 Climax Street, Pittsburgh, PA 15210 as a member of the Allegheny County Sanitary Authority for a term to expire December 31, 1987.

The Chair:

Mr. Wagner, since we just received this, and you know the rules that we have to receive something like this 48 hours prior to presentation, I would ask you if you would please submit this for next Monday. Bring it back next Monday.

Mr. Wagner:

Mr. President, if I may comment on that. The Administration, every week, without fail, gives us legislation on Mondays prior to these Council meetings to be introduced. On two previous confirmations to Alcosan, two members of Council, Mr. DePasquale and Mr. O'Malley, they were submitted on that Monday. The question, though, then was that we voted on them the same day they were submitted. And my disagreement to that whole thing was that we did not

have time to consider the name.

In submitting this resolution, I am not in any way suggesting that we should vote on this. All I'm asking is that this resolution receive the same courtesy as any resolution that the Administration has submitted in the past on a Monday or Council has introduced on a Monday, and let it go through its normal course of two weeks. In other words, this person would not come in front of Council until a week from Wednesday.

The Chair:

I understand what you're saying but I disagree with you. When we get legislation like we presented today, you receive that 48 hours in advance. The City Clerk receives it, I believe, on a Thursday or Friday, you receive it in the mail at your home every Saturday, as a courtesy, mailed by the City Clerk, and it's presented to you again on Monday morning. That procedure has been here since I've been here.

Mr. Wagner:

Mr. President, it's done every Monday. The Administration introduces bills every Monday.

The Chair:

It is presented in the City Clerk's Office when? Thursday or Friday?

Mr. Perry:

By Friday, noon.

The Chair:

Friday, noon. It's mailed out immediately to your home, you receive it on Saturday. The rule says that it must be deposited in the City Clerk's Office 48 hours prior to come before Council in

a Monday meeting. That's what the rules say.

Mr. Wagner:

Why is it violated every week then?

The Chair:

It is not violated every week. I'm trying to explain it to you. It is deposited here every Friday afternoon. All legislation that you receive that we present on Monday, we get it here in City Council on Friday. You get a copy of it at your home on Saturday. The Law Department mails you a copy that you get on Saturday.

Mr. Wagner:

You're right, plus there is legislation introduced at the Mayor's Conference Meeting on a weekly basis by the Administration on a Monday morning. And anyone that attends those meetings can confirm what I have to say, that that happens repeatedly, week after week after week. If we permit the Administration to do that, I would think that you would permit a Councilmember to do the same.

The Chair:

I don't permit the Administration to do that when it is brought to my attention.

Mr. Wagner:

It happens every week.

The Chair:

Then I suggest that the next time it happens, if it happens next Monday, bring it to my attention and we will not honor it.

Mr. Wagner:

Well the time that you introduced Mr. DePasquale's name and Mr. O'Malley's name --

The Chair:

I did not do that. Mr. Stone did that; that was when Mr. Stone was President.

Mr. Wagner:

Well I am respectfully requesting that this go through the normal procedure of Council, the two week procedure, and that it be introduced today.

The Chair:

I respect your request but I will not honor it.

Mr. Pollock:

Ben, I don't think you want to start a precedent where they can't ever introduce legislation that morning because lots of times they just didn't have a chance to get it done Friday. And as Jack said, there's legislation every week introduced on Monday morning that didn't make the agenda because they didn't get it to Mike on time on Friday. Council doesn't approve because there's only two or three of us there.

Mr. Perry:

But still Council approves it, gives me the okay to accept it.

Mr. Wagner:

Mr. President, if I may. I would like to ask the Parliamentarian if I am permitted to introduce this today.

The Chair:

Jack, the Parliamentarian has to read Council's rules and that's what Council's rules say.

Michelle Madoff:

Same subject. Mr. Perry, the mail that goes out that I'm supposed to have at my home on Saturday, frequently I pick it up when I get home from work on Monday.

Mr. Perry:

You're speaking of the File Copies.

Michelle Madoff:

Right, and I sometimes I don't get them until after we have met. It's a fact of life.

But more important, Mr. Wagner, I think what you've done is shared with us the name of somebody you'd like to have submitted and since you've asked to go through the normal procedure, by introducing it Monday it can even be expedited by waiving Rule 8. It can come up Wednesday, be discussed, and vote on it the following Monday.

The issue really today is that there is not only one vacancy but correct me, I'm not sure, I believe there's two vacancies because one gentleman passed away. I have spoken with two of the Commissioners and as you know, in my naivete when I first got here eight and a half years ago, Mr. DePasquale may remember this, in the back room, and I went in and said, being innocent, not knowing this is how things are done, said, "You know, I'm an environmentalist and I've been working on this for ten years; would you like to have my expertise? I would like to serve on the Committee." I was told that no, I couldn't have that

position, that if I wanted it I would have to speak to Mr. Bulls and would I want to take a minority seat away. I hope everybody that was there remembers that; it was a harrowing experience for me. Here is an opening, there are two openings.

I would suggest that my colleague, Mr. Wagner, also contact the County Commissioners who have an appointment to fill, and I would hope that this Council would consider also filling one of the two vacancies with the most qualified candidate, myself.

Mr. Givens:

You're over-qualified, Michelle.

Michelle Madoff:

I'm not over-qualified.

Mr. O'Malley:

I think what Mr. Wagner was alluding to was prior to Mr. Woods becoming President, many of us would walk in here on a Monday afternoon and find a name in front of us for an appointment that had to be voted on that afternoon. I think that's how the 48 hour rule came about, because many of us weren't prepared to come in, look at an appointment to a position, and then vote on it. I think that's how our 48 hour rule came about, that it would at least give us an opportunity to look over the appointment and their credentials.

There is an opening on Alcosan. There are many people that are interested in that appointment. I'd just like to make a recommendation that anybody who is interested, that they should submit a letter to Mr. Woods and they should also submit --

Michelle Madoff:

Why to Mr. Woods? Why not to Mr. DePasquale?

Mr. O'Malley:

Because he is the President of Council, or to Mr. DePasquale, submit a letter that their interested in the appointment along with their credentials and qualifications.

Mr. DePasquale:

If I may, Mr. President, without mentioning any names, I have no opposition or nothing against the young lady that Councilman has chosen or has elected to put up for an appointment as a board member for Alcosan.

I just want to caution Council in regards to a little history at Alcosan. We have had a board member from Brighton Heights for the past eight years. Unfortunately, she passed away, and she was replaced by Joe Stanic who passed away about a month ago. However, they were both appointees of Commissioner Forester as County appointees. So, in reality, even though they resided in the City, they were appointed by the Commissioners.

Now we have a vacancy there and there is nobody from Brighton Heights. However, I understand that the Commissioners are about to replace the late Joe Stanic and they are not going to pick anybody from Brighton Heights, they're going to pick somebody from the County. In other words, other than the City of Pittsburgh. They claim that they were more or less pressured into it before because of the odor problem down there and whether some people agree or not we've just about eliminated that. I mean, we're not going to have complete elimination. Now wait a minute, let's be

fair about it; you're not going to have a utopia where you're not going to smell anything. You know what you're dealing with in sewage, it's something else. But the problem is better than when we first went down there. It was so bad, the odor was so bad, you just couldn't stand to be in that area and you couldn't stand to be in Brighton Heights. In fact, there were weddings called off, and funerals, and what have you. It was that bad that they had to run out of the church.

But what I'm saying is that we should look forward, perhaps, to appointing somebody from Brighton Heights or, incidentally, a Black because we have a Black vacancy down there now. The only Black on the board was Jim Bulls and despite of what has happened to Jim Bulls, he never missed a meeting and he served very well. He's gone now and we have to consider that too.

I just want Council to be made aware of my feelings in the matter in regards to a replacement at Alcosan.

Mr. Given:

I feel very strong, Mr. President, and go along with Mr. DePasquale. The people that are most affected by Alcosan are the people who live abutting to Alcosan. Either this City or the County has to appoint somebody from that North Side community to sit on that board because they are the ones that get it and as a result, it was Joe Stanic and it was people from the Brighton Heights Community Center that made all of Council aware of the terrible problem that they have down there. We have a Councilman, our President, who lives right abutting over top of that hill, who probably had quite a bit a harassment, as a community leader and activist in the labor movement, during that period of time. But we have to have somebody

from the North Side Community of Brighton or right in the ward up there that if there is a breakdown in that Authority, and regardless of what the County people think, yes, we serve a lot of County communities, but we are the terminus area for all of that sanitary sewage. And as a result, I want someone from North Side. Right over that abutment up there we have some darn good community leaders up there and one of them should hopefully be appointed to that position to replace Joe Stanic.

The Chair:

Could I just say this; we are getting a little off track. We were talking about whether I could accept or reject the appointment.

Mr. Wagner:

Mr. President and members of Council, first of all, I think it's important to understand that any member of this Council can submit a name at this table for the appointment to this authority. It does not have to come from the President, even though I respect the President's position; it does not have to come from Mr. DePasquale, even though I respect the fact that he's the Chairman of Alcosan. All nine members of this Council have a right to submit any name they want to submit with the name that they feel is competent to that board. That right is given to us in the Charter.

That's what I am suggesting to do today. I am suggesting to submit a name for a specific reason. The specific reason relates to a serious problem in the Saw Mill Run Basin. The name I have submitted is a resident and a neighborhood activist within the Saw Mill Run Basin.

Everyone may think that the only problem, as it relates to Alcosan, is in

Brighton Heights, and I agree, that is a problem. But there are a dozen Pittsburgh neighborhoods that have been impacted in a very negative fashion due to the fact that there has been a severe sewer problem in the Saw Mill Run Basin.

I believe that it is absolutely mandatory that the appointee to Alcosan should come from the Saw Mill Run Basin. It is the only way that issue is going to be addressed within Alcosan.

I have all along on this Council brought that issue up. I have addressed that issue from the City of Pittsburgh, I have gone out and insisted that the Administration get more involved in the dredging of the Creek. I have also been involved in the Water and Sewer Authority in that area, and I have requested all along that Alcosan become involved in it. Alcosan must address that problem. It's the only way that problem is going to be addressed and it impacts the entire southern corridor along Route 51. No one knows until they have to live with it how difficult it is to get a sewer tap-in to build one home in that corridor.

We just recently almost had a senior citizen high-rise turned down, and if anyone knew the extensive meetings that had to take place to get with the DER people to make exception after exception after exception to get the approval on the senior citizen high-rise. If we didn't get it, and we got it at the last minute, we would have lost 3 million in HUD dollars, for 52 units.

This problem has existed too long. Alcosan has to become involved in it; they have to become actively involved in it. There has been rhetoric all along that is going on; it hasn't happened. That's the reason why I have submitted who I consider to be a very competent person, a Black female - and there are no females on the Alcosan board, to my

knowledge I don't remember any - and someone that is very involved in the City of Pittsburgh and has been in the past.

Not to talk about that person, but I really think, to be quite frank, and I'm being quite frank with all of you, that you want your choice on Alcosan also, and that's fine. And you should have your opportunity. I am stressing the importance of this choice, not because of the individual but because of the individual's qualifications and concerns. This individual would make a quality member of the Alcosan board.

The Alcosan board at this time has three members. If one of you are missing for some reason, out of town, you can't even get a quorum if you have to make an important decision on something. I think it's important to get a new member appointed to Alcosan and to get it appointed quickly.

I submitted this name today, and the reason why it was the last minute was that I did not talk and the person did not confirm their intent to want to be on this board until late this morning. Therefore, it took me that time to get this in writing.

As I indicated, Mr. President, if you have your choice, fine; Mr. DePasquale, fine. Whatever. This person will, I feel, stand the test of being competent, of high integrity, and having a desire to want to do a good job.

Again, I would ask you to please entertain this name as being introduced today. We do it on a weekly basis for the Administration for various legislation, and if we're doing it for the Administration on a weekly basis, we should do it for a Councilmember.

There's nothing more I can say than that except that I would like to see this

appointment move forward as quickly as possible.

The Chair:

As I said once to you, I respect your opinion and I hope you respect mine, but I'm going to hold to what I stated. Please submit it next Monday — or it's already submitted and we'll entertain it next Monday. Just make sure it's 48 hours ahead of time and re-submit it next Monday.

Mr. O'Malley:

On Mr. Wagner's comments on Saw Mill Run Boulevard, I think they were very unfair to blame the problems that we're having on Saw Mill Run with Alcosan. Mr. Wagner is very aware that Alcosan does not have responsibility for Saw Mill Run Boulevard. Saw Mill Run Boulevard is owned by the City of Pittsburgh and the responsibility falls equally on Alcosan and the City of Pittsburgh and also on the Water and Sewer Authority on which Mr. Wagner sits.

Purposely, Saw Mill Run Boulevard was left out of the 1956 Agreement which created Alcosan.

Also, when the Water and Sewer Authority was created, I believe in the last couple of years we have floated bonds for improvements to the Water and Sewer Authority. Every sewer in the City of Pittsburgh was included in the Water and Sewer Authority. Every sewer was included except Saw Mill Run Boulevard. Saw Mill Run Boulevard was included in the original draft, which Mr. Wagner is very well aware of, that Saw Mill Run Boulevard was included in the original draft, and the Water and Sewer Authority, and was excluded without his knowledge.

So, the City of Pittsburgh created a Water and Sewer Authority. One, I helped create it to address the Saw Mill Run problem and it was excluded. The reasons why it was excluded, I do not know.

It's very unfair to blame the problems of Saw Mill Run on Alcosan. Alcosan does not own Saw Mill Run Boulevard.

Mr. DePasquale:

Mr. President, if I may; it's very appropos. Mr. O'Malley neglected to say that Alcosan has recently passed a bond issue and approximately \$8-1/2 to \$9 million of that bond issue is going to be addressed to Saw Mill Run Boulevard. If we're to believe Engineering, it could be as high as a \$300 million project but they're saying a piecemeal thing, costing about \$30 million would be the answer.

Now, if Alcosan comes up with the \$9 million, and we're going to come up with that amount of money, it was part of the bond issue, we'll need about \$21 million more.

With all due respect to Councilman Wagner and to Councilman O'Malley, the problem we're having is coming from the communities, municipalities. They refuse to cooperate. They're giving us most of the stuff there and they will not give us a hand financially or otherwise.

The City, as far as not including Saw Mill Run in the bond issue, I am not aware of that and if it happened, it shouldn't have. But at the same time, the City is going to have to address it; they're going to have to come up with some money, as Alcosan is, and certainly the municipality. Legally, I understand we can't force the municipalities into this thing. What they're doing is taking a free ride. They're contributing more and

more to the system and refuse to give us a hand financially or otherwise.

Mr. Wagner:

I think it's important that we're talking about Saw Mill Run because the problem is that it's not talked about enough, at least not in the circles of government. It's been there for 40 years and it's been ignored for 40 years. We can talk about it forever and forever. The City of Pittsburgh has made some commitments towards Saw Mill Run, towards improving the interceptor all the way up to Woodruff Avenue. That work still is not completed. Almost \$5 million has been put into it.

The problem with Saw Mill Run is that 60 percent of the sewage that runs through Saw Mill Run, and Mr. DePasquale is right, comes from outlying communities south of the City of Pittsburgh. The problem is that the City of Pittsburgh has no jurisdiction over those communities, but Alcosan does. Alcosan accepts their sewage just as it accepts the City of Pittsburgh's sewage.

The City of Pittsburgh does not want to go out and rebuild a whole sewer line through the entire length of the City of Pittsburgh, of which 60 percent of the sewage is actually servicing the outlying communities. The only entity of government that can do that is Alcosan and Alcosan has to bite the bullet and do it.

Now, Mr. DePasquale, you said \$7 or \$8 million in bond money is going to be devoted towards it. That is music to my ears and I am hoping that that happens very soon because I believe it's the beginnings of addressing a problem.

What I want to see is a full-time member on the Alcosan board that lives with the problem on a daily basis. I don't

think there's anything wrong with that because I think that person will bring to life the issue all the time and let everyone know how severe the issue is, and it is very severe. I can't stress that enough, and we read several times a year of the backlog in the homes in West End and Overbrook. All of you get the calls, like I get the calls, of the people that are almost ready to move out of their homes. They have abandoned their businesses, development has ceased, and the issue is not going to go away. We can benefit in many ways through development along the corridor and making the City more liveable.

Michelle Madoff:

On another subject. Jack, I'll vote for the person and I'll give up my expertise in being over-qualified.

I happened inadvertently to read my Saturday Press on Sunday and was dismayed to read a little story that I don't know if my colleagues have read. "City Worker Suspended For Paving A Private Lot." Is everybody here aware of it? Is anybody here not aware of it?

It appears that a number of gentlemen, five people who work for Public Works, were approached by, as I understand the story, by the owner of a lot who had been trying to get the City to come out and solve a problem because children were putting on a hydrant next to their lot and it was doing damage to the street. One of the people involved was a foreman and his name, and I have his permission to use his name, incidentally, he supplied me with the letter today, is a Mr. John Gipko who is the foreman.

Mr. Gipko pleads guilty, thought he was doing something rather innocent because the man or the people who own the lot said to him, "Look, if you're in

the area, we need a little asphalt. It's really ruining this street; would you give us a little asphalt?" The amount of asphalt was \$25 worth and it appears that Mr. Gipko went to the Law Department instead of going to his department head, who is Mr. Lou Gaetano, and four other people were incriminated in the fact that the Supervisor, Mr. Gipko, had a Mr. Rodney Katen, a Daniel Reinheimer, a Shawn Trainor, and a Gary Namoitka, help do the job, do the work.

I agree that when you do something that you're not supposed to do, if you violate the City ordinance, you pay the price. But I don't think we can have preferential treatment or selective enforcement and I think we ought to let the punishment fit the crime.

It appears that five hydrants are turned on by kids, they damaged the private property, and this is why this gentleman needed some asphalt. As I said before, it was only \$25 worth of asphalt.

I think the appropriate penalty would be to put these people on leave for two weeks without pay and to have them pay back the time, triple time. They've already paid the \$25 back.

Now, why do I say that we should — Why would Michelle Madoff who is always "known as the watchdog" say we should let these people go? It has come to my attention that about three months ago someone went for a joy ride with a City asphalt truck and did \$2500 worth of damage. Persons in the supervisory area of the Public Works Department went to Mr. Gaetano and said, "Look, it's their first offense, they've never done anything before, they're going to reimburse the \$2500; let them go." I don't remember ever hearing about the \$2500; I don't remember hearing about

the joy ride; I don't remember hearing about anybody being suspended. But here are four innocent men, and I have the letter before me that was sent to me and signed by Mr. John Gipko which closes with — He goes on incidentally through the letter about he feels that it's a personal vendetta and harassment by another member of the Public Works Department, but he closes with: "I feel that not only myself and Dan Reinheimer have been victims, but Shawn Trainor, Gary Namoitka and Rod Katen have all been victims of this man. I feel they all should be given their jobs back because they were only following the orders of their foreman." In other words, what happened is that these men were told by their foreman to do a job and they did it.

We could argue the merits of, should the foreman be fired for doing something that obviously he shouldn't have done. I'm not going to defend him; I'm not his attorney. But how do we have selective enforcement? How do we have some people who put out \$25 worth of asphalt fired, not suspended but fired, and someone else who goes for a joy ride, because it's their first offense, let off the hook? These men have never been in trouble before either. And four of them only showed up because their supervisor told them to and I got this information by checking it out.

I don't know but I think this Council ought to take a responsible role. I don't think that we can interfere with the Administration's job; we can't say who to hire and who to fire. But I don't think it's fair. I think it's unjust; it's selective punishment. Incidentally, the foreman's mother had a stroke and was hospitalized, and I believe died, I'm not sure, the day that this happened to the foreman because he's never had any problem or been in any trouble. She was just so devastated by this happening.

Again, how many times have people been suspended for having marijuana cigarettes and not fired?

Mr. Givens:

Michelle, can I respond to you?

Michelle Madoff:

Certainly. I'm asking Council to support me in sending a letter to the Mayor asking him to reinstate certainly the four people who only showed up and listened to their boss, their foreman, and to reconsider even the foreman, to handle it as a disciplinary measure, not a firing.

The Chair:

We have a Personnel Appeals Board here. If the union is not going to stick up for them, and they probably belong to the union, they should go down and file a grievance. If not, with the Personnel Appeals Board. That's what it was created for.

Mr. Givens:

I just want to say, Mr. President, I was aware of this by at least Tuesday or Wednesday of last week. The Director of the Department was not in town and even the second in command was not here. In the meantime, the newspapers came out with the report. I think its incumbent upon at least this Councilman to sit down with the Director and investigate into this and hopefully what Michelle has just indicated right now and if it is that small amount of asphalt and the reason behind it etc., I think the punishment, if its accurate, and I have not heard that, and I hope they have not made a decision on that yet. But hopefully, I'd like to discuss that with the Director and come to whatever punishment or chastising that must be

done in this particular case and I'd like it just to lay at that level right now.

Michelle Madoff:

I respect what you're saying, Mr. Woods; there's an appropriate agency to deal with this. But it is backlogged; there are so many hearings before it.

The Chair:

No, there's not.

Michelle Madoff:

My understanding is that there are a number of Police hearings that are going before it.

The Chair:

Not the Personnel Appeals Board.

Michelle Madoff:

Well, I just think that when we harrass one vendor, for example, and not the other vendors, when we zero in on certain factions that may be a political issue and not on others, it isn't fair. And I'm just thinking, we may have our differences and we quarrel amongst each other, but I think basically we're fair people and that we care that one person is not treated differently from another.

I raised the issue because I think that we ought to look into it. Mr. Givens, that's your Committee, is it not?

Mr. Givens:

It sure is.

Michelle Madoff:

Would you please take care of it and get back to us as you said you were going to and let us know what you

believe has to happen.

Mr. Givens:

I've been communicating.

On another subject. We're all in receipt, as of Friday, of a letter from one of the Commissioners of Allegheny County asking that both the Commissioners, the Mayor, and this Council, sit down to look into situations at Alcosan. Just not predicated on that letter but other things that are happening, and some comments that have been made editorial-wise and newspaper-wise in regards to Alcosan, how it's managed, how it's run, etc., I would hope that the Chairman of Alcosan, Mr. DePasquale, would have the Executive Directors and others come up and as far as all of us in this room have to look at all the authorities that we have responsibility to and I think Alcosan is no exception. We have URA that has had trouble, we've had trouble on the Auditorium Authority thing, we've had commissions and boards that have all kinds of trouble, both the City and the County.

But many people, I don't think, are aware of what Alcosan has done for the citizens of the City of Pittsburgh as well as Allegheny County. I'm hearing Legislators, even from the North Side indicate they want change in the composition of the Board. I don't think that changes anything. If we have some actors, and apparently some have indicated by their resignation that they are leaving Alcosan, that the mission of Alcosan and what it has meant or not has meant to the people of the City of Pittsburgh I think should be discussed and I would like to submit, Mr. President, that we have a post agenda predicated upon when the Alcosan board and its Executive can feel a time when they can come in to this Council and brief us and

openly discuss Alcosan, where it is, where it's going, and what should the composition of that board be. I for one feel that when we all hear of what Alcosan has been over the last 11 years, I think most taxpayers will be happy and will probably want that board to remain just as it is.

Mr. DePasquale:

Mr. Chairman, if success warrants an investigation, Alcosan warrants one. We're the only authority in Allegheny County in the black and we haven't raised the rates in 12 years. Apparently nobody cares about this but this is a fact and I don't care what anyone says or anyone does. You're talking about a successful board and a successful operation and we're not talking about the other boards. I don't mean to throw coal in the fire but if you're going to start calling names, I can name some of these authorities that have been an absolute disgrace but no one is worried about them. It was a little while ago that \$3 million went south but they said, "Well, it was a little slip." Well, \$3 million and they gave the guy a lot of credit when he left the department; he's a wonderful guy. \$3 million is misappropriated and apparently nobody seemed to be worried about the \$3 million, especially the newspapers in the City of Pittsburgh.

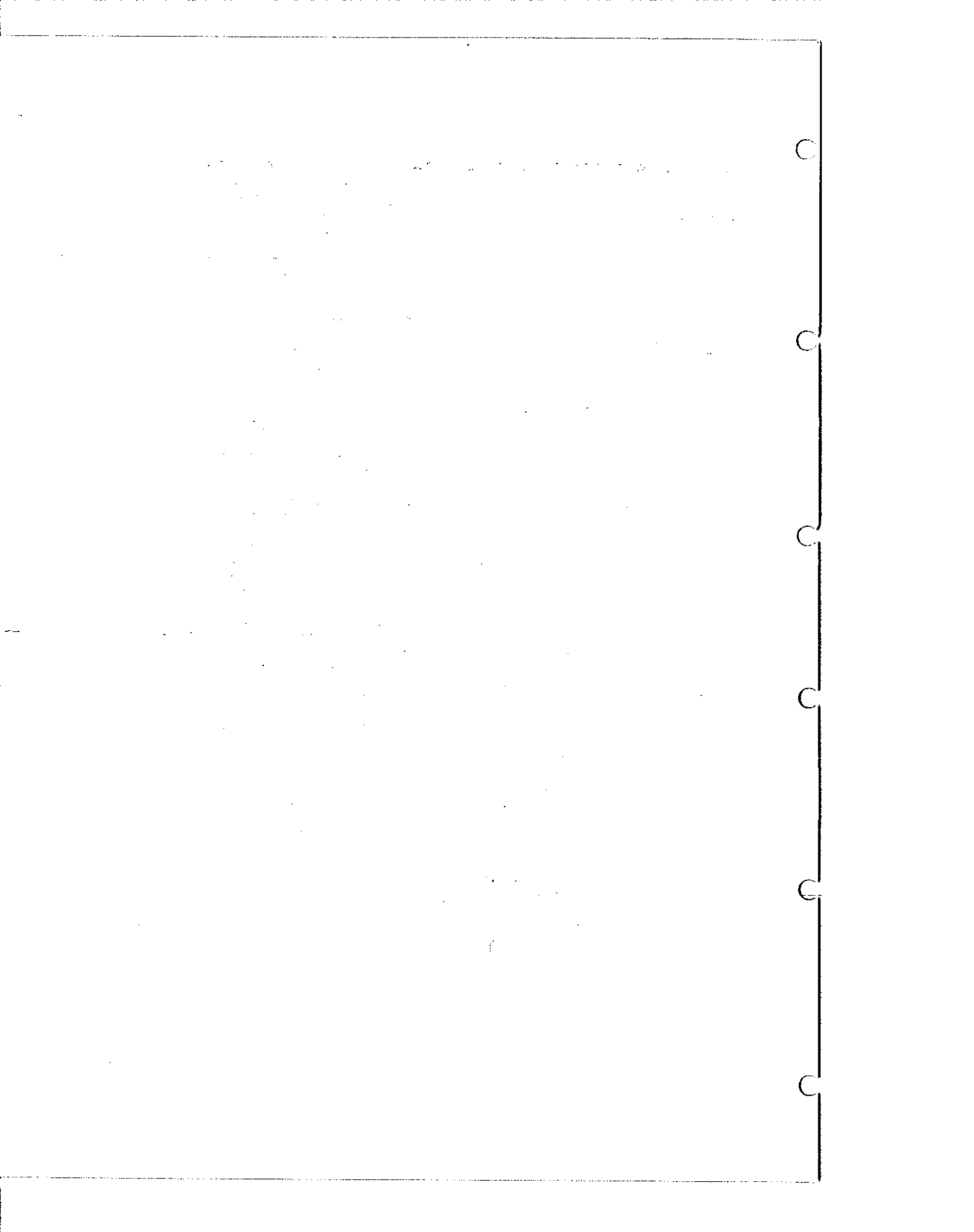
Mr. Wagner moved to approve the Minutes of Monday, October 6, 1986.

Mrs. Masloff seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.



Municipal Record

Proceedings of the Council of the City of Pittsburgh

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No. 43

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, November 10, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

I would like to ask Mrs. Masloff and Mr. Givens to please escort the Mayor in to make his 1987 Budget Address.

Ladies and gentlemen, Mayor Richard Caliguiri.

Mayor Caliguiri:

Mr. President, Members of Council, friends, City employees and, of course, the people of Pittsburgh.

Today marks the tenth time I have appeared before the people of Pittsburgh to deliver a State of the City Address. The bottom line today is good news.

For the fifth consecutive year, I am recommending no increase in tax rates.

When I stood at this podium in November of 1977, I said that I was both confident and optimistic about the years ahead.

The promise of a decade ago has been fulfilled.

What I could not foresee was that we would make so much progress in strengthening our City while experiencing drastic changes in our economy combined with significant shifts in national policy toward cities.

Despite these obstacles, we have rebuilt our bridges, roads, water and sewer systems, completed millions of dollars of new and renovated housing, constructed new recreation facilities and programs; we have fostered the creation of neighborhood development organizations, renewing old commercial districts and developing innovative approaches to marshalling citizen participation and energy.

We have brightened the skyline with new and exciting complexes, and we have worked with our universities to strengthen our research capability. We have found cooperative approaches to the ongoing problems of the unemployed, homeless and hungry, and we have struck new working relationships with county and state governments. Council has been a working partner through these years, and I am grateful for your efforts on behalf of a better Pittsburgh.

While it is tempting to reflect on the satisfactions of the past, I am struck today by the fact that, in just thirteen years, we will turn the corner on the next century. The real test of our community and those who are chosen to lead us is whether we have prepared ourselves for this transition.

I submit that we have made a good beginning — a solid foundation on which to build. While admitting that the tasks ahead are formidable, we will take the lessons of our success and combine them with new energy and commitment to spawn economic opportunity, fairness and equity as we move into a new century. Ten years ago, I asked the citizens of Pittsburgh to embark on Renaissance II. They did so with spirit and enthusiasm.

Today, I ask that we open a new renaissance — one that will evolve not just as a renewal of the next five years, but as the renewal for the 21st century — a Renaissance for the year 2000.

There could be no more symbolic introduction of this next era — no clearer sign of positive change — than the raising of the flags at the Pittsburgh Technology Center on the J & L site last month. It marked the continuing transition of our economy and paid tribute to the progress that has been forged in our area by government and

private sector cooperation. It also demonstrated how we have reacted positively and affirmatively to the challenge that change has presented.

While being the most dramatic, that single event does not provide the entire basis for my declaration that the next renaissance has begun. Consider:

- Strengthening the backbone of Pittsburgh — its neighborhoods — remains at the forefront of our commitment to the future. We will make a five-year, \$8 million investment in neighborhood commercial revitalization programs.

We will combine important neighborhood support projects such as the Pennsylvania Brighton Redevelopment acquisitions, the reopening of Penn Avenue, and sponsorship of the Oakland Portal development.

We have programmed over \$2 million in funding for community-based development organizations, key instruments of Renaissance II and Renaissance 2000. The \$517 million six-year capital program I presented earlier this year details a further investment in neighborhood jobs and opportunity.

- Our Center for Business Assistance is an important key to our future. In a short time, it has closed some 51 loans which used \$2.7 million in public funding to generate \$23.4 million in private investment, thereby creating and stabilizing over 1,000 jobs in city neighborhoods. The Center has developed a new program to work on a one-to-one basis with small and medium-sized businesses in an effort to give this major economic segment the special attention it needs and deserves.

- Our North Shore will be enhanced

by the start of construction of the Buhl Science Center and Omnimax Theater. I am pleased to announce — officially — that the new Science Center will be located at the Stadium. Over the next several weeks, City and Buhl Staff will be examining several possible sites on Stadium property as well as reviewing the plans with Stadium tenants.

This project will be the most significant tourist attraction project since our commitment to renovate the Pittsburgh Zoo several years ago.

But the Science Center will be more than a tourist attraction. It will teach our children that technology and research provide a path to the future. It will reinforce the new emphasis on the study of sciences in our outstanding school system.

- The promotion of our city and area is a key part of the next renaissance. Two weeks ago, we announced the opening of a new Office of Promotion designed to market the City around the world securing our title as the Renaissance City. Already the renewed vigor of the Pittsburgh Convention and Visitors Bureau is yielding returns — an 81 percent increase in advance hotel bookings and nearly 9,000 inquiries at our new Visitors Information Booth during its first three months of operation.

- Council's action will lead to the first stages of The Development at Washington's Landing — the name I am proposing for the Herrs Island project. Let us give this long-awaited project a new name along with a new commitment as we honor the first President's exploration and crossing of the Allegheny River.

- In addition to generating jobs through commercial development

projects, our support for new and innovative housing solutions will continue writing success stories like 3,100 loans valued at \$8.3 million, a \$10 million modernization program in our housing authority neighborhoods as well as \$1.75 million in new units at scattered sites — all during the past year.

We opened one and gave final approval to three other projects that will mix residents with special needs and circumstances with other tenants. Five bridge housing facilities are now funded.

Our approach to housing as we enter Renaissance 2000 will place emphasis on meeting residents' human needs through special programs such as Project Self Sufficiency, designed to better serve young single parent families and targeted action at crime and drug abuse in these neighborhoods.

- Our construction program provides the foundation for the next Renaissance. For example, this year we will complete or put under contract projects worth \$90 million to meet the community's capital needs including bridges, roads, community facilities and our water and sewer improvement program. These efforts, combined with support by county government for mass and air transportation development, means that we are investing wisely in our future.

- Our central business district will continue to be the keystone of the region in the next century even as it expands across the rivers. This coming year will see the initiation of a major renovation of Mellon Square Park with efforts under way to finalize fund raising for renovation of Market Square Park. The downtown vista will brighten further with the opening of the Benedum Theater, the completion of CNG Tower and Fifth Avenue Place, and the

continued expansion of Station Square. We are supporting efforts to develop a hotel/retail complex on Steel Plaza.

To address the need for downtown living, work has begun on the Penn Station renovation in the Penn Liberty corridor which will soon be anchored by the magnificent VISTA Hotel at Liberty Center. Across the Allegheny, we will acquire important North Shore property for similar development.

The Parking Authority continues to play its major role by completing \$9 million of acquisitions, renovations and security improvements to seven downtown facilities. These actions will guarantee parking facilities vital to downtown's future.

As a strength of this area and as a safe and exciting place to be, downtown, like every asset, needs reinvestment and new strategies as times change. We have made major gains with various development projects, but we need to examine our retail strategies and housekeeping.

I have, therefore, instructed the Department of City Planning to develop a new central business district initiative program treating downtown as the important city neighborhood it is.

I have also asked our planners to begin work on an effort I am calling the "Fifth Avenue Square Project". It will be an effort to upgrade the major retail corridor involving Fifth, Smithfield, Wood and Forbes, including street hardware, signing and sidewalks as well as festive amenities and housekeeping. A part of this assignment will be to work with the private sector to forge a new downtown coalition similar to those that have been helpful in promoting other City neighborhoods.

- Perhaps the most significant step toward preparing for the next century was shedding the parochial cloak and working with County and University officials to realize the goals of Strategy 21 — receiving for the first time major state commitments to capital projects important not just to the city but to our region.

With the support of area counties gathered over two years of combined effort, the legislation to create a 21st century regional development and reconstruction commission has been introduced and is now the subject of public hearings. Our efforts to bring state government to our economic development table through this concept has been rewarded not only by Strategy 21 but by a firm commitment by the Governor-elect to actively assist our economic development activities.

- Renaissance 2000 must fortify our solid long-standing values and traditions along with extending equal opportunity for all. A new community-wide effort has begun to promote the value of family life while we complete an effort to raise the community conscience toward women's issues.

- The next century will demand that government itself be leaner, more efficient and more productive than ever.

Of all of our initiatives in this area, the one with the biggest promise in terms of improved service is the one that has developed with the most difficulty. What is important, however, is that we have made real progress in improving the quality of our public safety services.

First responder training is under way, with saving lives the goal of all involved; our boarding house inspection, water rescue, arson strike and hazardous materials teams demonstrate how

coordination can lead not only to an appreciation of a fellow employee's work but a more professional response to emergency situations.

The task forces on nuisance bars, traffic safety, as well as new efforts in employee fitness and safety, improved communications and training and millions invested in new equipment are providing the basic tools for our professionals to do their jobs more effectively and, therefore, more productively.

I am more resolved than ever to see these efforts through to their successful, beneficial conclusion.

In addition, we are completing the draft of a major reform of the civil service and trial borad systems to provide for fair, but effective management of our uniform services. Legislation will be on the agenda of the Senate and House of Representatives when the new term convenes in January.

- And, finally, preparing for the next century calls on our imagination and our resolve. From the historic public/private coalition to save major league baseball to our unprecedented effort to block consolidation of the major retail stores, we have been and must be prepared to take action to protect our community in an era of consolidations and takeovers where speculators use precious national capital to enhance their economic position at the expense of our communities.

We did not build this foundation of Renaissance 2000 alone, nor can we successfully make the transition to the 21st century without a cooperative commitment to cities and their role in the nation and in this state.

Clearly, 1986 did not mark the best year for American cities in their

relationship with the national government. Elimination of federal revenue sharing, slashes in other urban programs -- a litany too long and discouraging to repeat here -- place yet another burden on cities whose entire existence has been as both the first and the last refuge of our people.

The intersection of this new national attitude along with a projected flat growth in our tax base provides the city with the most severe financial challenge in her history.

The 1987 operating budget I am presenting today calls for expenditures of \$278.9 million a DECREASE -- I repeat -- a DECREASE of some \$9 million from last year. The total revenues we anticipate collecting this year amount to \$7 million LESS than we collected in 1986. In any other time, this situation would have been the basis for a local tax rate increase or massive layoffs of personnel.

Those solutions, however, remain last on my list of remedies and are not the ones that I propose to you today.

As a result of unprecedented effort by city employees, management and staff, we have, over the past two years, implemented a cost control program designed to maximize the use of available revenues without calling for increased taxes. It is the kind of program that the taxpayers expect and demand we carry out before asking them for additional resources. Therefore, no area has been spared examination.

An important component of this effort was a wage freeze program agreed to by a majority of the city's workers, through -- regrettably -- not by all of them, as well as management employees. I am grateful to those employees and their representatives for

their cooperation and understanding during difficult times.

At the same time, I am angered and frustrated by a system that allows a third party to add millions to a budget bound not by what is on the table, nor by the fiscal facts presented to him.

Although the numbers speak for themselves, let me be clear.

There is no breathing room in this budget. We must absorb these untimely salary increases through further measures to improve productivity.

Further, I pledge that these additional costs will not be covered at the expense of other city employees or the taxpayers.

We have examined every function in city government approaching our problems with reason and judgment, filling positions where good management or effective cost return were possible and eliminating positions where the task could be performed in another way. This year, we have eliminated a total of 254 positions adding up to \$6.5 million in budget savings. We have accented investments in equipment, technology and training for employees, so that they could do their job more efficiently and effectively.

The management of our finances has led the initiatives. A restructuring of the city's outstanding debt will produce some \$7 million in savings over the next several years, and further improvements in our cash management system will result in additional revenue to the city.

We have completed an agreement to sell water to West Penn Water beginning in 1988 that could net as much as \$2 to \$5 million a year in rate control

revenue for city water customers, thereby establishing a procedure to use this great asset for the benefit of our residents.

In areas where continued high levels of service are expected and required, we have directed special management efforts. For example, we were able to reduce the number of refuse routes from 86 to 74 during the year without affecting service. This means that over a five-year period, we have reduced the cost of refuse collection by \$8 million annually.

We are completing a maintenance management system for our parks to allow us to do more work with fewer people. We have re-equipped every city department while significantly improving our vehicle maintenance program.

We have made a thorough examination of our recreation facilities. For 1987, we have been able to keep facility closings to a minimum involving one pool and minimal adjustments in other recreation programs. We will still have the most comprehensive recreation program of any community in the area.

In lieu of closing additional facilities, we have planned a pool fee program. Pittsburgh will join every other local public pool program in initiating a charge system providing for passes to be available for all pools with daily admissions available at the major pools. To accommodate those unable to purchase admissions, we will have a daily free swim period. The recreation program changes will save \$400,000 annually.

We will also explore the use of private contractors to manage the South Side Skating Rink and the Schenley Park Golf Course with an eye toward

eliminating our subsidies by 1988. These moves can save \$300,000 yearly.

We will continue to have civilians perform support functions within the public safety department, a practice designed to effectively utilize the skills of trained uniformed personnel where needed most — patrolling the streets in our neighborhoods.

We have already announced redeployment of police designed to improve productivity and effective coverage. I have authorized the Director to provide for a 6th zone to be housed at the former #7 (South Side) station. It will be accommodated, however, without an increase in the budget plan.

Increased costs for fire protection services will be covered by the elimination of 8 companies.

Because most fire stations house more than one company, this reduction can be made, in most cases, without closing a neighborhood fire station. The Director will involve the firefighters' union in developing the implementation of this plan.

We will continue to meet our pledge to enhance police presence in our neighborhoods and for adequate coverage at all fires. Through better communication training and equipment, we will have a better and more productive force. The message that I get from the taxpayers is that they prefer this approach rather than additional taxes.

As these adjustments are made, we will continue to hire new recruits to accommodate retirements and attrition. Therefore, I have honored the Director of Public Safety's recommendation to call a new police class before the present list expires and

will call for new fire classes — if our cost control plan is met.

I have informed the Director, however, that the allocation to public safety is not unlimited and that I expect productivity to provide for whatever increased costs we experience.

The result of these effects and others has been to overcome a projected \$20 million budget deficit by holding the line or reducing appropriations to city departments.

The guiding principles behind all of our policy initiatives have been to provide for the safety of our citizens first, continue to rebuild neighborhood facilities, keep our business districts sound and provide recreational programs to our citizens. I believe we have remained true to these principles.

But, we cannot be all things to all people, and we can no longer carry the load of being the only municipal government to support regional functions and services.

We have, therefore, reduced or eliminated support of various regionally oriented festivals and special events. In addition, we will institute a policy of requiring these activities to assume, over a period of time, a greater share of the cost of providing the extraordinary security and other city services they now require.

This reduction has also been extended to the support of a number of cultural programs, but does continue providing for the purchase of programs directed to city residents.

No one knows more than I the value of these amenities to a city and no administration has worked more faithfully to make them a part of life in

Pittsburgh.

Yet, after instituting significant cost control initiatives within city government, I believe the burden of our fiscal problems must not be shared.

This is particularly true as we look toward the future. While the reductions and changes for 1987 have been held to a minimum, the picture for 1988 is bleak. Unless a broader revenue base is achieved during the coming year, further and more exacting changes will have to be made in city programs and support for outside services. It is important to note that in order to balance this budget, we have taken advantage of a number of one-time revenues and expenditure reductions.

I cannot emphasize too strongly that this problem will not go away, and it will become worse if we choose to ignore it.

As the state treasury bulges with the receipts from growth-oriented taxes, Pittsburgh and its fellow municipalities suffer under a taxation system designed for a different age — one that places an increasing burden on those least able to pay and that chases out young, middle income families. This pattern is unacceptable.

I have called on the Legislature repeatedly to take action by providing either a share of state revenues or the ability to fairly and equitably raise additional local revenues without placing communities at a competitive disadvantage.

Despite the loss of nearly \$250 million in revenue to local governments in Pennsylvania, and intensive lobbying efforts by elected officials from all over the state, we seem no further toward the goal of local tax reform than we were

eight years ago when the last state administration took office.

I will continue to work cooperatively with other elected officials and state government to address this crisis through the political process but I have no choice but to pursue alternatives.

I have directed the City Law Department to file an action in Commonwealth Court challenging the constitutionality of provisions of the Home Rule Law and the Local Tax Enabling Act which substantially prohibits municipalities from taxing all persons who earn their living in the municipality.

While I would much prefer that the Legislature take action which would benefit all municipal governments and avoid the issue of cities vs. suburbs, I must take whatever action I can to protect our taxpayers and limit the burden they carry. I expect that other municipalities facing a similar dilemma will join us in this action.

We have previously demonstrated that there is a significant cost to the City for serving as a regional business, educational and health center and this is true of many other municipalities in Allegheny County and throughout the State. To carry out this responsibility, we maintain a high level of services funded principally by residents.

In addition to achieving fairness in our region, the fact is that many exciting development possibilities, key to the region's growth, will not be possible unless the revenue base of the city is broadened. Unlike many Renaissance II projects which were driven by corporate sponsorship, we now find projects requiring substantial capital investments from a city capital budget straining to

meet the city's basic needs.

For too long we have muddled the debate on local government financing with talk of municipal isolationism. The projects and programs we initiate in Pittsburgh — like the Technology Center — produce jobs not just for the city but for the entire area. This is an issue of our ability to remain a strong core of the region.

The agenda is clear. The commitment of local officials is solid. The time for action is now.

Just as we move to prepare financially for the coming century, so must we examine our governmental structure.

While I reject the notion that I or my colleagues cannot represent the best interests of all Pittsburghers when making important decisions, I recognize that, in a democracy, the perception of equal representation is just as important as the fact.

I have, therefore, recommended that we in city government reach a consensus on restructuring our legislative system and support our decision not only before the Federal Court now dealing with this issue but in a referendum if required. Let us resolve this issue in an affirmative manner and move on.

The year ahead — the thirteen years ahead — are pivotal and challenging. While much of our attention will be focused on forging a new relationship with the state both for economic development and government finance, we will also devote energy to other efforts to improve our service delivery to the community.

The vista before us is emerging as one in which we devote new efforts to

strengthening our community by promoting family life, providing for the hungry and homeless, fortifying our neighborhoods and continuing our plans to provide opportunities for housing and economic development, to see our future rising on the site of our past and to trust in the support we give each other.

From time to time we will be disappointed and frustrated with our progress.

But these are not the times for the weak spirit. We will be tested, as we have been in the past, but we will be equal to the challenge. We must rise above the moaners and complainers and those who offer nothing to the future but a negative perspective and, of course, their own personal ambition. Our attention must be on those who have ideas, who have imagination and who have the energy and zeal to be a part of the next renaissance.

We are fortunate that Pittsburgh is filled with so many who fit this mold.

Ten years past — confidence and optimism, trust and accomplishment. Thirteen years ahead — a new century filled with opportunity and promise.

We have much to do to achieve the goals that Renaissance 2000 puts within our grasp.

But, from where I stand, I like what I see.

November 10, 1986
Richard S. Caliguiri, Mayor

PRESENTATIONS

Mr. DePasquale presented

No. 1766 Resolution providing for

the issuance of a warrant in favor of Criscella Construction Company (Emeric A. Criscella, President) in the amount of \$9,700.00 in payment of Extra Work, being in addition to the original contract price of \$45,825.00 on Controller's Contract No. 27188F, furnished for the benefit of the City in connection with the Handicapped Modifications to Special Populations Program Centers, payable from Code Account CDEC 85-60. (PRIOR APPROVAL GRANTED)

Also,

No. 1767 Resolution providing for the issuance of a warrant in favor of F.A. Beto, Inc. (F.A. Manfredi, President) in the amount of \$1,287.55 in payment of Extra Work, being in addition to the original contract price of \$176,165.00 on Controller's Contract No. 27769, furnished for the benefit of the City in connection with the Emergency Medical Station No. 1, payable from Code Account EC 86-78. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on Finance.

Mr. Givens presented

No. 1768 Resolution amending Resolution No. 478, effective June 10, 1986, entitled: "Resolution providing for the letting of a Contract or Contracts for the design, lease purchase, and installation of high pressure sodium street lighting for the Department of Public Works, for a period not to exceed five (5) years," by decreasing the total allocation by \$200,000.00 from \$600,000.00 to \$400,000.00, chargeable to and payable from Code Account 1545, Street Lighting and amounts appropriated from time to time in succeeding calendar years.

Which was read and referred to the Committee on Public Works.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 1769 Resolution transferring \$130,720.00 from Code Account CC, Community Communications Trust Fund to the General Fund, City of Pittsburgh for reimbursement of indirect costs incurred by the Bureau of Cable Communications for 1986.

Which was read and referred to the Committee on Finance.

Also,

No. 1770 Resolution granting unto Walnut Corporation, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a canopy, steel cornice and 3" channel over a portion of the sidewalk of Walnut Street in the 7th Ward of the City of Pittsburgh.

Also,

No. 1771 Communication from Louis Geatano, Director, Department of Public Works, requesting authorization for Ellen Clair to attend "Time-Text", a Priority Management System Seminar at Two Gateway Center, Pittsburgh, Pennsylvania on December 4, 1986, at a cost not to exceed \$375.00, payable from the Community Communications Trust Fund.

Which were read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1772 Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the City Center UDAG Project; providing for the execution of a grant agreement and related documents and for the filing of requisitions and other data; approving the City Center UDAG Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authority signatures; creating a Special Trust Fund in connection with the Project, and providing for the deposit of the funds in a bank account.

Also,

No. 1773 Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the implementation of the City Center UDAG Project at a cost not to exceed \$15,000,000.00, chargeable to and payable from City Center UDAG Project Trust Fund.

Also,

No. 1774 Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the Oakland Portal UDAG Project; providing for the execution of a Grant Agreement and related documents and for the filing of requisitions and other data; approving the Oakland Portal Project; providing for required assurances; providing for execution of

payment vouchers on Letter of Credit and for certification of authority signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account.

Also,

No. 1775 Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the implementation of the Oakland Portal UDAG Project at a cost not to exceed \$1,250,000.00, chargeable to and payable from the Oakland Portal UDAG Project Trust Fund.

Also,

No. 1776 Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the implementation of Housing Projects funded by the Pennsylvania Department of Community Affairs at a cost not to exceed \$1,000,000.00, chargeable to and payable from State Funded Housing Project Trust Fund.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Grabowski moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Mr. O'Malley presented

No. 1777 Resolution providing for the issuance of warrants in the aggregate amount of \$6,000.00 in full settlement of claims by Joan Sims, arising from her employment with the City, payable from Code Account No. 46, Judgments.

Also,

No. 1778 Resolution providing for the issuance of a \$1,000.00 warrant in favor of Elizabeth & Jeanette Nieder in settlement of claims for property damage due to a water main break, payable from Code Account No. 46, Judgments.

Also,

No. 1779 Communications from Richard S. Caliguiri, Mayor, requesting authorization for Mina Gerall to attend the final phase of the competition for the All-American City Award in Kansas City, Missouri from November 7-9, 1986, at a cost not to exceed \$700.00, payable from Code Account No. 1017, Miscellaneous Services. **(PRIOR APPROVAL GRANTED)**

Also,

No. 1780 Communications from Richard S. Caliguiri, Mayor, requesting authorization for George Whitmer to attend a board meeting of the Pennsylvania State League of Cities in Reading, Pennsylvania on October 29, 1986, at a cost not to exceed \$350.00, payable from Code Account No. 1017, Miscellaneous Services. **(PRIOR APPROVAL GRANTED)**

Also,

No. 1781 Communication from Edward Walkowski, Manager, City Information Systems, requesting

authorization for Joseph Imbimbo and Mary Nolf to attend the Technology Transfer Institute Seminar concerning Data Bases in Atlanta, Georgia from December 2-5, 1986, at a cost not to exceed \$4,100.00, payable from Code Account No. 1043, Miscellaneous Services.

Also,

No. 1782 Communications from Edward Walkowski, Manager, City Information Systems, requesting authorization for Joseph Kostrub and David Atkins to attend the SRI Seminar concerning the Principles of Prototyping in Buffalo, New York from December 8-9, 1986, at a cost not to exceed \$2,700.00, payable from Code Account No. 1043, Miscellaneous Services.

Also,

No. 1783 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Anne McCafferty to attend the regular meeting of the Pennsylvania Service Delivery Area Association in Harrisburg, Pennsylvania on November 20, 1986, at a cost not to exceed \$350.00, payable from JTPA-1 Trust Fund.

Which were severally read and referred to the Committee on Finance.

Mr. Wagner presented

No. 1784 Resolution providing for an Agreement or Agreements with the Vietnam Veterans, Inc. for professional services in connection with bringing the Mobile Vietnam Veterans Memorial to Pittsburgh for the benefit of the residents of Pittsburgh at a cost not to exceed \$7,000.00, chargeable to and payable from Code Account 1838, Miscellaneous Services, Department of Parks and Recreation. **—(SPONSORED)**

BY MR. WAGNER)

Which was read and referred to the Committee on Parks and Recreation.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 1785 Resolution providing for an Agreement or Agreements with the Center for Emergency Medicine of Western Pennsylvania (CEM) to provide Medical Command for the Bureau of Emergency Medical Services for the protection of life and health of the people within the City of Pittsburgh at a cost not to exceed \$30,000.00, chargeable to and payable from the Department of Public Safety, Bureau of Emergency Medical Services, Code Account (DPSTPP).

Also,

No. 1786 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Coleman Conroy, Project Chief, Electrical Division and James Russell, Electrical Inspector, Bureau of Building Inspection, Department of Public Safety to attend a seminar on National Electrical Code Changes at the Pittsburgh Hilton on September 25, 1986, at a cost not to exceed \$290.00, payable from Code Account No. 1476.

Also,

No. 1787 Communication from

Glenn Cannon, Director, Department of Public Safety, requesting authorization for Commander Craig B. Edwards, Commander Earl Buford, and Police Officer Cheryl Doubt, Bureau of Police, Department of Public Safety, to attend a conference hosted by the Chicago Police Department to be held November 6-8, 1986, in Chicago, Illinois, at a cost not to exceed \$2,200.00, payable from Code Account PRIST. **(PRIOR APPROVAL GRANTED)**

Which were severally read and referred to the Committee on Public Safety.

The Chair presented

No. 1788 Communication from Paul C. Brophy, Executive Director, Urban Redevelopment Authority, submitting the Position and Salary Report as of June 30, 1986, of all employees of the said Authority.

Also,

No. 1789 Communication from Thomas Flaherty, City Controller, submitting the Fiscal Audit of Dog Licenses, Department of Finance, of revenues collected and expenditures paid from cash transactions for years ending December 31, 1985, 1984 and 1983.

Also,

No. 1790 Communication from Thomas Flaherty, City Controller, submitting the Fiscal Audit Report of the South Side Ice Skating Rink, Department of Parks and Recreation, for revenues collected and expenditures paid from cash transactions for the years ending December 31, 1985, 1984 and 1983.

Also,

No. 1791 Communication from

Thomas Flaherty, City Controller, submitting the Fiscal Audit of the Schenley Park Ice Skating Rink, Department of Parks and Recreation, of the revenues collected and expenditures paid from cash transactions for the years ending December 31, 1985, 1984 and 1983.

Which were severally read, received and filed.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1792

Report of the Committee on Finance for November 5, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1665

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Richard D. Owens Transportation Services, Inc. in the aggregate amount of \$3,0007.52 in payment for transportation services provided for handicapped participants, furnished for the benefit of the City without previous authority of Law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1675

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$4,736.07 in favor of

Gondelman Baxter McVerry Smith Yatch & Trimm for legal services rendered to Robert Rade Stone in conjunction with Civil Action No. 85-3727, filed in the U.S. Court of Appeals for the Third Circuit."

Which was read.

Also,

Bill No. 1676

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$12,721.46 in favor of Titus Marcus & Shapira for legal services rendered to Ronald C. Schmeiser, Director of Finance, in conjunction with Civil Action No. 85-1525, filed in the United States District Court for the Western District of Pennsylvania."

Which was read.

Also,

Bill No. 1677

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Allegheny Business Machines, Inc., for the purchase of an additional 22 Megabyte Network Terminal for the current Microfilm System in the Controller's Office without previous authority of the law."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1678

A Resolution entitled, "Resolution transferring Five Thousand Dollars (\$5,000.00) from Code Account No. 1100 (110007) Miscellaneous Services to Code Account No. 1101 (110106) Supplies, Department of Personnel and Civil Service Commission."

Which was read.

Also,

Bill No. 1679

A Resolution entitled, "Resolution providing for an Agreement or Agreements for specialized professional services in connection with Labor Management Committee training including but not limited to training in decision making processes, group dynamics, and labor management committees implementation and procedures; and providing for payment of cost thereof."

Which was read.

Also,

Bill No. 1680

A Resolution entitled, "Resolution authorizing the City of Pittsburgh to enter into a professional services agreement or agreements with professional money management firms for the management of the assets of the City of Pittsburgh Pension Reform Trust Fund # 2, at an annual cost not to exceed Two Hundred Thousand Dollars (\$200,000.00) chargeable to and payable from the City of Pittsburgh Pension Reform Trust Fund # 2."

Which was read.

Also,

Bill No. 1684

A Resolution entitled, "Resolution transferring the sum of four-hundred-thousand dollars (\$400,000.00) from Code Account 1443, Index Code (144303) Police Salaries and Wages, Department of Public Safety to Code Account 1443-4, Index Code (144345) Police Premium Pay, Bureau of Police, Department of Public Safety. This transfer is necessary to cover premium payroll for the remainder of 1986."

Which was read.

Also,

Bill No. 1705

A Resolution entitled, "Resolution transferring the amount of Fifteen Thousand (\$15,000.00) Dollars from Code Account 1612-1, Repairs, Index Code 161216, to Code Account 1610, Miscellaneous Services, Index Code 161000 and Ten Thousand (\$10,000.00) Dollars from Code Account 1611-1, Utilities, Index Code 161117, to Code Account 1502, Miscellaneous Services, Index Code 150201, all accounts within

the Department of Public Works.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 768

A Resolution entitled, "Resolution providing for the issuance of a warrant to Michelle Madoff in the amount of ~~\$15,000.00~~ \$10,000.00 in full settlement of claim for personal injury, and providing for the payment thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

On Bill 768, the judgment to settle with Michelle Madoff on her claim, I want to present Mr. Givens with my extra pair of eyes. Since he says I have two pair of eyes, two sets of eyes —

The Chair:

Alright, let me stop this right now.

Michelle Madoff:

I did not say it; he said it.

The Chair:

Wait a minute. We are going to conduct this meeting without personal reference and please, Ms. Madoff, address the bill.

Michelle Madoff:

You're absolutely right. Mr. Chairman, may I ask that the rules apply across the board.

The Chair:

Yes, they do.

Michelle Madoff:

May I ask that when the statement was made originally by my Council colleague, that you did not call him on it at the time.

The Chair:

I was not chairing the meeting, Ms. Madoff, but I am chairing this meeting. Now, let's stick to Bill 768.

Michelle Madoff:

Unfortunately, the situation has been that I have been made to appear as if I am holding up the City ransom because if I go to court which is indeed a fact, I would probably collect something like \$40,000 to \$45,000 because there is some kind of chart that designates the amount of money that one would receive for certain kinds of claims.

My injury that took place here in Council which was stated by a colleague happened during the meeting is not fact; it happened just prior to the meeting, about two minutes before the meeting started. I had gone to talk to a reporter about a problem, I was moving in a hurry, the cable was there and I tripped. The information that was presented before this Council as someone who witnessed it and saw me trip coming back from the cable is absolutely erroneous. There were so many erroneous statements made, so many fallacious statements made, that I was terribly offended, not to mention the fact that I think we all have very short memories.

Most people have children who have had broken arms or themselves have had broken arms in their youth. Generally a broken arm is set in an emergency room. My arm was set in the operation room. It was so badly dislocated, they couldn't do it in an emergency room. It was set under general anesthesia in the operating room and I was detained in the hospital which is also very, very unusual for a broken arm.

I also want to remind my colleagues that members of Council, as well as all elected officials in the State of Pennsylvania, are not, I repeat, not covered by Workmen's Comp. God forbid, if someone were to walk in here and hurt a member of Council and they were paralyzed like Governor Wallace, and in a wheelchair the rest of their lives, there would be not one penny once they were out of office.

I am not, and have not asked for one cent, other than out of pocket expenses. And in order to get this behind us, I lowered my request from \$15,000 to \$10,000. People do not understand that of that \$10,000, almost \$6,000 would go in reimbursement to Blue Cross, Blue

Shield, because when you settle a claim, you automatically must reimburse any funds that you would receive. So that for something like \$3,000 to \$4,000, for example, when I was in Washington and I had to have therapy, there was a \$90 bill incurred for therapy not covered by Workmen's Comp, not covered by Blue Cross, not covered by Blue Shield or Major Medical. When you go to a doctor with an injury of this nature, you are not covered under the coverage that we have for Blue Cross, Blue Shield. If you have therapy, most of it is not covered. The rest of my life, whatever I will incur because of this unfortunate accident, I will not be covered. If I were a regular City employee, I would be covered should there be a residual effect. At the moment, for the record, the only significant problem I have is when it is raining out, I have pain in the arm, and the arm is slightly shorter than the other arm, but I cannot reach my left arm behind my back to button clothes.

I don't know what will happen in the future but I want to go on record as saying that I reject the sum that was voted for me. I do not want to have the City go to the expense of hiring an attorney to have to represent the City because they cannot sue a member of Council or represent and defend a member of Council. I've also decided not to pursue it through the courts with my own attorney; I will absorb all losses. But I hope that what has happened to me will serve as a lesson to the rest of Council that I'm not the only one that could have something happen and thank God, to my knowledge, I don't have anything more serious than the injury to my arm; I don't have a cancer, I don't have a heart problem. And I hope that should anyone else have a problem in an accident incurred on their job, who is an elected official, that they will remember that they are not covered.

With that, I want to formally ask my colleagues not to vote to award me the \$10,000. I don't want it. I think it was given in poor grace; it was given to make me look bad. I was made to look like I was blackmailing this Council because the questions were asked, "Won't it be cheaper if we give her the money now than if we go to court?" I don't want it. Somehow, God will provide. I'm fortunately not destitute; I will absorb all losses.

Mr. DePasquale:

Mr. President, my only comment is that I think a motion for recommitment should be made because if the bill was asked to be approved by Council, I think the majority will vote for it.

The Chair:

But, if the majority of Council votes no on Bill 768, it will be defeated and will not have to come back to Committee. You can vote the bill down right now and it doesn't have to come back before Committee.

Michelle Madoff:

I won't accept the money so you might as well vote it down.

Mr. Grabowski:

I just want to be clear that Michelle now would prefer that we defeat this legislation so that this money is not forthcoming.

Michelle Madoff:

That is correct.

Mr. Pollock:

I'd like my comments on Bill 768 brought forward, please.

Mr. Givens:

I'll stick by all the statements that I had made Wednesday and I would like all my remarks to be brought forward.

(MR. GIVENS' & MR. POLLOCK'S REMARKS ON BILL NO. 768 FROM WEDNESDAY, NOVEMBER 5, 1986)

Mr. Givens:

Yes. I have to appreciate pain and suffering, etc., and I have to appreciate that the City of Pittsburgh and all of the Councilpeople here are on, in fact, a pension system and in that pension system if one has received in the line of duty, meaning when they're working here within the Council or in any official capacity, received injuries to themselves, then they are compensated through our pension system and the fact that one can then appeal to that pension system for disability. If the injury is such that it is a disabling injury or one that can cause pain and suffering for the life time of that person or the possibility of pain and suffering in the future as declared by a competent medical physician, then that person will be compensated for. That is how we take care of people who work for the City of Pittsburgh. No city employee to my knowledge can turn around and sue the City of Pittsburgh right now and the federal government to a great degree is that way.

The injury that ensued was one that all of us were knowledgeable about, meaning that there were cable lines and still are, in fact, cable lines throughout the Council right here — they have rugs on top of them right now or mats to give it some type of security, but we are all knowledgeable and aware of that. It was an accident; it wasn't planned and it wasn't pre-meditated and as a result there was suffering involved and

everything like that but for us to use taxpayers' dollars in order to pay for an injury of anybody that is able to perform and be back in the line of duty in a matter of weeks is something that I think we all have to, in our own conscience, think about very earnestly.

As I indicated, we are compensation. Council, because we are only elected for a specific term of office, four years right now, that at the end of that four years if that injury would not enable you, then you would have other recourses by going to Social Security and if the Enabling injury was such that you could not perform as a person or in the educational background of your particular profession whichever that might have been.

Again, we are using taxpayers' dollars to settle a suit of an elected official. No place in history that I can recall when this first came up and in doing other research on it, calling other major cities and small cities, have I ever heard of an elected official suing his own municipal body in order to gain some wages for an injury that in fact did not disable them and in fact where they are compensated for if they do retire from the City. May I suggest to you that if it was a one-term Councilperson and if he was not eligible for pension under the City of Pittsburgh, I would have second thoughts. And this particular principal that we are talking about, Michelle Madoff, she in fact, has enough time with the City, over eight years, that she is in fact eligible for pension when she so chooses to get that pension.

May I suggest also that that individual, and I don't know the clarity of this and maybe someone from the Legal Department can come up and tell me about it. If she seeks this money, could she then come back at a future date on her pension plan and say that she has

incurred injury while working for the City of Pittsburgh so documented, etc., and come back and get what you would consider double-dipping?

(THE CHAIR COMMENTS)

Mr. Givens:

Full settlement? Well, someone would have to explain to me from the Legal Department what "if full settlement" means.

(THE CHAIR COMMENTS)

Mr. Givens:

In a situation like that, in some cases the City might be better off in doing it this way because all of us know that on the pension if you go on disability over a long term, you will receive a considerable amount of more money but it has to be determined whether the injury was disabling or not. I would have to bring in, and I would hope that this Council --

Mr. Pollock:

-- he's like a one-man debate team.

(THE CHAIR COMMENTS)

Mr. Pollock:

-- this is fascinating, I'm dying to hear more.

Mr. Givens:

Well I'm glad you're entertained Mr. Mark Pollock.

Mr. Pollock:

I've never seen a one-man debate team.

(THE CHAIR COMMENTS)

Mr. Givens:

I would have to bring the medical experts from the City of Pittsburgh in here to discuss this particular case as to the type of injury, the type of immobility and we're sitting here in fact as being a judge and jury in awarding any case of this particular magnitude because it did not go through the court system. It did not go through our law firm and the fact that the Solicitor of the City of Pittsburgh is recommending this and the Mayor of the City of Pittsburgh is recommending this and the Administration is recommending this to us.

(THE CHAIR COMMENTS)

Mr. Givens:

Well, I'll indicate to you that I would have to get medical testimony here before I would want to make judgment on whether or not to give anybody, and in fact this is what we're doing. We're bypassing the judicial system and making a judgmental factor as to whether any person within city government cannot get a settlement from this Council, the legislative body, so I hate to say it to cut a fellow Councilperson etc., but I would have to get the expert opinions from the medical profession as to how disabling this injury is because I haven't noticed anything in change of character in Michelle Madoff, her personal habits and her movements since her injury has been somewhat healed.

A case in point if I might Mr. Chairman. We know and all of us know legislatively right here that this is a very high and stressful job and any medical professional will tell you that, any elected official and major municipal

thing. I underwent open heart surgery okay, could I then come back in again and sue the City of Pittsburgh because I was under duress or because of my occupation?

(THE CHAIR COMMENTS)

Mr. Givens:

It's an occupation and we know --

(THE CHAIR COMMENTS)

Mr. Givens:

If I could speak to the fact. And in fact we know that there are occupational hazards here when in fact you want to have this on cable television, there has to be wires from must like in any studio. When we go to a studio in KDKA Channel 2, does not someone almost have to escort us into that studio and say to watch the wire, watch that wire and watch another wire. Now they work in that studio and never have I heard anyone from a major studio suing its employer because they tripped over a wire in a T.V. studio. They can never get another job and I submit here that if this thing goes through, never should a person ever be elected to another office again if they're going to turn around and sue their own people when in fact she has two sets of eyes herself and should have known that that wire was down there and all of us know how that individual walks around in this Council and disturbs the Council but in fact causes --

Mr. Pollock:

-- Come on, cut this out.

Mr. Givens:

If you could please -- I'm talking. You can say your piece Mr. Pollock when you have the floor -- you're disturbing

me and my trend of thought.

All of us in this Council know where we are at when we walk around etc., and in fact I feel very personally that this person caused her own accidents because of the amount of traveling she was doing and you might say a hazardous condition knowingly that someday she was going to fall and to sue the City of Pittsburgh and the taxpayers of the City of Pittsburgh — no way could I approve that and I do want medical testimony to the fact.

Mr. Pollock:

This is an intentional injury.

(MRS. MASLOFF COMMENTS)

Mr. Givens:

I'd like to respond to Sophie's comments.

(MR. DEPASQUALE COMMENTS)

(MR. PELLEGRINI COMMENTS)

(THE CHAIR COMMENTS)

(MR. GRABOWSKI COMMENTS)

Mr. Givens:

Thank you. As the Solicitor so indicated, he is covered on Workmen's Compensation. When Michelle was off she was not covered under Workmen's Compensation, but this Council by its action of excusing absent members in fact is giving Workmen's Compensation. In fact, when I was off for a three-month period, I did not receive Workmen's Compensation. In fact, this Council approved my absence for a three-month period of time.

I can go back to Lou Mason when

he was a Council President and he was undergoing serious hospitalization for almost a two-year period and in fact this Council saw that that elected official during this period of time was in fact covered. It wasn't called Workmen's Compensation but it's the same thing; full pay, full rights, full benefits. Now what happens after a person's time is terminated and they can't find work again? We have our pension system here if a person is eligible. Again I go back and say that if that person did not have eight years of service and I doubt then that we would be obligated as a body and as a Council to indicate to the individual that yes they should be compensated. This person still has another right of appeal and that right is on that pension system and it's a good one and it's here for all of us and we don't get Workmen's Compensation. Workmen's Compensation doesn't last for a lifetime, it's until medically it's determined that a person cannot come back to work again. Once that determination is made, then that individual is put on a pension and then that medical professional looks pension and if a person so asks for medical disability then they get whatever the medical professional would allow, be it 50 percent, 25 percent or 100 percent medical pension disability which gives that person many advantages both in the amount of money that they receive for the amount of service that they've had with the City of Pittsburgh and one helluva tax break and some of them have many tax loopholes in that money, giving them a much greater pension than they would normally have gotten if they retired without any pension or disability.

(THE CHAIR COMMENTS)

(MR. GRABOWSKI COMMENTS)

(MR. PELLEGRINI COMMENTS)

(MRS. MASLOFF COMMENTS)

(MR. PELLEGRINI COMMENTS)

Mr. Pollock:

Dan, I've been on record repeatedly saying that I don't think City Council should vote on any action, whether it be the settlement of it or the continuance of it or the dismissal of a colleague. You and I have talked about this both at this table and in your office and we have suggested a plan by which Council would not have to vote on the settlement of an action by a member of Council. For whatever reason the members of Council and/or the plaintiff, Michelle, chose not to accept that option. I would want to put that on record because I intend to abstain. I don't think Council should vote on an action involving a member of Council. It's here before us and we can't do anything about that and I think that -- I have already decided previously but I just haven't had time to work with you on legislation that would actually prohibit Council from settling an action by a member of Council and it would only be within the jurisdiction of the Solicitor's Office. I think that's the way out of this.

(MRS. MASLOFF COMMENTS)

Mr. Pollock:

We sat at the table.

(MRS. MASLOFF COMMENTS)

Mr. Pollock:

All Council has to do is authorize by resolution the Solicitor to settle the case with the court and the other attorney and then the judge will take a consent settlement. We don't approve the case, we don't approve the settlement, we don't approve anything. We turn it over back to Danny and say he does whatever he wants to do.

(MR. DEPASQUALE COMMENTS)

(MR. PELLEGRINI COMMENTS)

(MRS. MASLOFF COMMENTS)

(MR. PELLEGRINI COMMENTS)

Mr. Pollock:

What happened was that the last time I suggested it, there was a lot of noise made about it and a couple members of Council made noise about it and it was withdrawn and Michelle said that she would go to court because she didn't want to take the heat but that's what it boiled down to.

Mr. Givens:

Just finally one last statement and I have to address it to all the Councilmen. If any of us in our own workplace would have tripped over a wire and fractured or dislocated our elbow, would we have turned around and sued the City of Pittsburgh? Now I would almost like to put that for a vote because I think I know what my answer would be.

Mr. Pollock:

I'm sure you would put that to a vote at a later date.

Mr. Givens:

I have the floor, Mr. Chairman and I've gotten interruptions from this Councilperson numerous on this debate and some other comments and I'd appreciate it if it would stop.

(THE CHAIR COMMENTS)

Mr. Givens:

As I indicated, I would like to put

that to a vote but I will not and I don't want to embarrass my fellow Councilmembers but I would hope that I know how that case would come out. I would then ask the Solicitor, in getting your various briefs from the people that were at the scene of the accident, no one came and spoke to me in regards to this accident. Did anyone from our Legal Department talk to fellow Councilmembers?

(MR. PELLEGRINI)

Mr. Givens:

It's very sad that you did not seek people because I had seen the direction of flight on this individual Councilperson

Mr. Pollock:

-- What was it, a nosedive?

(THE CHAIR COMMENTS)

Mr. Givens:

I have seen the direction of flight of the individual from her particular chair back to the back of the hall, passed over the wire and was coming back over the wire when she had tripped and fell down. Now all of us have an obligation. Did anyone ever say to the Bureau of Cable Communications that these wires are a hazard? Did any of the Councilpersons approach the Finance Chairman or the President of Council saying that we have a hazard in our workplace? The workers themselves are responsible for monitoring their work area if in fact there's a hazard, if in fact all of this end the act that we are elected, we are all our own bosses, we all in fact are the persons to say what is a hazard in our workplace. I have pointed certain things out to the Chief Clerk when I thought there was a hazard within

the Council Chambers for whatever reason or within our own work area. The individual had walked over the wire and came back in and walked back over it again so she knew that the wire was there previously. Those wires have been strung in the same location for approximately 2-1/2 years she had walked over those same wires on numerous occasions; it wasn't a one-point incident did the individual take any initiative upon herself and if it would go to a court case, I would think that the Solicitor of the City of Pittsburgh, in defending the taxpayers of the City of Pittsburgh would have to ask that question. I would think if you were a jury and was sitting up there and listening to what had to say that that individual who was in fact her own boss and in fact could make decisions of safety in her own workplace in fact did not do so and that this condition existed for 2-1/2 years, I hope the jury would give her zero and I think that the case did go before the courts and that's exactly what might happen.

As Steve Grabowski has indicated here, no legislator has ever, no elected official to my knowledge in my lifetime has ever sued their own city. Let the people out there who put us into office have to look at that. Now the one thing that might come out of this and that is that we are vulnerable, especially those that are under eight years of service as an elected official, we might consider passing legislation with the taxpayers, then will forward us the opportunity of all other city workers by giving us some type of medical insurance to cover us in case of an injuring accident that impairs us. In a case like this that insurance company would be paying the City of Pittsburgh for our wages and any other compensation that we might be getting during that period of time and then we don't have to excuse absent members if they in fact have an injury and have

fallen down. Other than that in a normal vacation, we should be here at our legislative post. So for this and this reason only and the fact that it is so precedent setting that I've never heard it in the rest of my life that we put this bill back on the table again and get something that is going to be of a permanent solution to things that might happen to future Councilpeople and especially those that are under eight years of elected service.

(MR. WOODS COMMENTS)

Mr. Pollock:

Well, once again you're misinformed. If you'll go back over the transcript for today, at no time did I ask who asked to have this untabled and number two, if you go back over the transcript when this last was done, Mr. Pellegrini was going to submit legislation and not myself.

(END OF REMARKS)

Mr. Givens:

It's disgusting that any elected official would start out at \$40,000, come down to \$15,000 and then come down to \$10,000. It should never —

Michelle Madoff:

I thought we weren't permitted personal comments.

Mr. Givens:

I'm discussing the bill. This bill should never have been brought before the Council of the City of Pittsburgh. And as Michelle so indicated, there is a void in the zero through eight years of an elected official. They are not covered under our pension plan and that is an area of void, and one that we should

address, because serious injury could ensue anyone in that particular category. Anyone from eight years and above as a municipal employee that's covered under the pension system and would at least get all rights and benefits under that pension system which is adequate as is in many workmen's compensation cases as well as any pension system. We have a very liberal, I feel, pension system for municipal employees, which we do come under. Michelle does bring up that one point; she does not fall under that category. Other members of this Council do fall under that category and I think that should be looked into by the Finance Chair to see if we can close that void because there is an area that if people do get hurt and cannot perform their position as an elected official, then they are left out in the cast and not so much then themselves but their families also would be left out and that would be a hard thing. I think this Council could retroactively induce anything that we can.

May I say that this is not, in my mind, in this particular case that any person still has the right to sue and let's wait until after next May's election.

Michelle Madoff:

May I respond, Mr. President? I think there needs to be some clarification here. I think my colleague is not aware because it just seems like yesterday that I got here, but I have been here for eight and a half years, eight years as of June 1st, so we're going into eight and a half years; at the end of this year I'll have served eight and a half years. Yes, after eight years, members of Council are covered under what pension there is offered. If I were to leave Council today, my pension would be \$4,000 a year. I think if someone were terribly wounded, if they were

paralyzed, I don't think \$4,000 a year would be adequate to cover their expenses. While the hospital bills would be covered to a certain extent, if we were allowed to maintain the Blue Cross, Blue Shield, and that would also come out of your pension. In other words, your Blue Cross, Blue Shield, if you're allowed to stay as part of the group, is deducted from that \$4,000. I don't think that would be adequate to cover the bills that are not covered if someone were — As I said, I'm fortunate; I feel blessed that, thank God, my accident wasn't as severe as it might have been, which is one of the reasons, incidentally, that I've thought it over and decided to let the issue go.

There is an area where somebody has served six years or five years or seven years, and I know of an instance where a colleague of ours that is no longer going to be with the County is not vested, and they are really in trouble. They don't even have their \$4,000 or whatever it is in pension, which is really even more of an injustice.

I just wanted to get the record clear that we don't get great big pensions. Whether you were to leave government for the restaurant business or I were to leave for any other reason, there is not a huge pension available to us.

The Chair:

Can I ask, before you speak, Jeep, we were on 768, we're kind of drifting and we're into pensions and other things that have nothing to do with 768. So, Jeep, please confine yourself to 768.

Mr. DePasquale:

I just want to mention that my aye vote will be predicated on the fact that the Law Department approved and

recommended the settlement.

Mr. Grabowski:

One further question and I think Michelle is going to have to answer this. Did I understand your statement before to indicate that you were dropping your suit against the City and that you no longer wanted this as settlement?

Michelle Madoff:

And I'm not going to court either.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mr. Woods
 (Pres't)

AYES 2 NOES 5

VOTING NO:

Mr. Givens Mrs. Masloff
Mr. Grabowski Mr. O'Malley
Michelle Madoff

(MR. POLLOCK AND MR. WAGNER
ABSTAINING)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Mr. Givens presented

Bill No. 1793

Report of the Committee on Public Works for November 5, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1653

A Resolution entitled, "Resolution granting unto Edmond G. Tozzi, 965 Deely Street, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a planted area and steps on a portion of the sidewalk of Deely Street in the 15th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1706

A Resolution entitled, "Resolution granting unto Kenneth and Celeste Martin, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a house and steps encroachment in a portion of the right-of-way of Yew Street in the 8th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 1794

Report of the Committee on Planning, Housing and Development for November 5, 1986 transmitting sundry ordinances and resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1329

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 6, by changing: From "R4" Multiple-Family Residence District to "C3" Commercial District all that certain property bounded by: JACKSONIA STREET; Lots Numbered 134, 135, 136, 137, 138, 139, 140, 141, and 142, Block 23-J in the Allegheny County Block and Lot System; SAMPSONIA WAY; and the "C3" Zoning District Boundary Line located east of BRIGHTON ROAD between JACKSONIA STREET and SAMPSONIA WAY, 25th Ward."

Which was read.

Also,

Bill No. 1511

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)(10) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the Western Pennsylvania School for Blind Children for demolition of four (4) existing buildings; renovations of remaining buildings; construction of two (2) new three-story wings and redesign of the exterior of the site to include 102 parking stalls for property located at the intersection of BAYARD STREET and NORTH BELLEFIELD STREET, identified as Block 27-G, Lot Numbered 287 in the Allegheny County Block and Lot System, 4th Ward."

Which was read.

Also,

Bill No. 1657

A Resolution entitled, "Resolution amending Resolution No. 780, effective September 22, 1986, entitled, 'Providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the Community Self-Help Beautification and Community Gardening Programs on highly visible vacant lots in Community Development Neighborhoods', so as to increase the amount allocated from \$17,000 to \$50,967.31."

Which was read.

Also,

Bill No. 1658

A Resolution entitled, "Resolution

amending Section 11 of Resolution No. 1267 of 1977, as previously amended by Resolutin Nos. 483, 829, 999 and 1563 of 1978; by Resolution Nos. 252, 308, 590 and 706 of 1979; by Resolution No. 352, 448 and 1191 of 1980; by Resolution Nos. 560, 888 and 1363 of 1981; by Resolution Nos. 418 and 911 of 1982; and by Resolution Nos. 98 and 286 of 1986, entitled, 'Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Husing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program' by decreasing a line item in the Department of City Planning and increasing the Unspecified Local Option line item."

Which was read.

Also,

Bill No. 1659

A Resolution entitled, "Resolution amending Resolution 1112, effective December 20, 1983, entitled, 'Providing for an Agreement or Agreements with the Port Authority of Allegheny County for the operation of the Model Neighborhood Reduced Fare Bus Loop Project for the period May 1, 1980 through April 30, 1981, so as to decrease the amount authorized from \$310,000.00 to \$304,541.49 (-\$5,458.51) and to reduce the time frame of the Agreement."

Which was read.

Also,

Bill No. 1660

A Resolution entitled, "Resolution amending Resolution No. 355, effective April 20, 1979, as amended by Resolution No. 406, effective May 7, 1982; and as amended by Resolution No. 1113, effective December 20, 1983, entitled,

'Providing for an AGREEMENT or Agreements for the Reduced Fare Bus Project in the Hill District and Oakland and providing for the payment for the cost thereof, so as to decrease the amount allocated from \$356,533.00 to \$341,321.01 (-\$15,211.99) and reduce the time frame of the Agreement."

Which was read.

Also,

Bill No. 1661

A Resolution entitled, "Resolution amending Resolution No. 502, effective June 18, 1986, entitled, 'Providing for an Agreement or Agreements with Miryam's, Inc., a non-profit organization and the Urban Redevelopment Authority of Pittsburgh, for the rehabilitation of a facility to be used to house the homeless, at a cost not to exceed \$15,000.00, so as to add administrative assistance as an allowable contract cost."

Which was read.

Also,

Bill No. 1579

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 12 by changing: From "C2" Highway Commercial District and "M2" Limited Industrial District to "C4" Commercial District all that certain property bounded by: HAMLET STREET; THE BOULEVARD OF THE ALLIES; McDEVITT PLACE; FORBES AVENUE and CRAFT AVENUE; 4th Ward."

Which was read.

Also,

Bill No. 1580

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 957 and Chapter 981 by requiring Administrator Approval of a Site Plan in "C4" Commercial Districts for new or changed use of land; for every structure to be erected, enlarged or altered for a residential use in excess of two (2) dwelling units and for every structure to be erected or enlarged for a commercial use to have in excess of 2,400 square feet of gross floor area."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

Bill No. 1795

Report of the Committee on General Services for November 5, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1685

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase Scuba and Water Rescue equipment for River Rescue, Department of Public Safety and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 1796

Report of the Committee on Parks and Recreation for November 5, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1666

A Resolution entitled, "Resolution providing for the letting of a contract or contracts or the use of existing contracts for the furnishing of kitchen equipment at the PJittsburgh Aviary payable from Code Account Aviary Trust Fund, Index Code 250209, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 1797

Report of the Committee on Public Safety for November 5, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1686

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase fire hose, nozzles, and appliances to be used by the City of Pittsburgh, Bureau of Fire and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 1798

Report of the Committee for Engineering and Construction for November 5, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1651

A Resolution entitled, "Resolution repealing Resolution No. 298, effective April 16, 1982, entitled, 'Providing for a Contract or Contracts or the use of existing Contracts for repairing the artificial grass surface at Dean Field; and providing for the payment of the cost thereof.'"

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Wagner and Mr. DePasquale present

No. 1799 WHEREAS, November 10, 1986 marks the 211th Anniversary of the United States Marine Corps, established in 1775; and,

WHEREAS, the Marine Corps was

originally formed as a rapid deployment force to establish a beachhead and hold the position for the other armed services to occupy; and,

WHEREAS, the Marine Corps has become a legendary fighting force in our nation's military history with gallant combat efforts dating back to the Revolutionary War, and particularly heroic actions in our own century with the European Expeditionary Forces in World War I, the Pacific Theatre at Guadalcanal, Iwo Jima, and Okinawa in World War II, on the frozen battlefields of Korea, and the tropical jungles of Vietnam, and recently in Lebanon and Grenada; and

WHEREAS, the brave men who made the supreme sacrifice for their country and the Corps are a testament of the Marines' devotion to the defense of our nation;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh, on behalf of its citizens, proclaim the week of November 10th through November 16th as "Marine Week" in Pittsburgh as a tribute to the 211th Anniversary of the United States Marine Corps.

Mr. Wagner moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Wagner:

If I may, Mr. DePasquale presented that resolution Saturday evening, I believe, at the Marine Corps Ball, and I did also at the Federal Building. And today is the Marine Corps birthday.

The Chair:

Thank you. Congratulations, Marines.

Mr. Wagner presents

No. 1801 Resolution that the appointment of Constance Wellons of 120 Climax Street, Pittsburgh, Pennsylvania 15210, be and the same is hereby confirmed as a member of the Allegheny County Sanitary Authority to fill the unexpired term to expire December, 1987.

Which was read.

The Chair presents

No. 1802 Resolution that the appointment of William T. Ondek of 1104 Davis Avenue, Pittsburgh, Pennsylvania 15212, in the 27th Ward, be and the same is hereby approved and confirmed as a member of the Allegheny County Sanitary Authority to fill the unexpired term to expire December 31, 1987.

Which was read.

Mr. Wagner:

Mr. President, on the appointees to Alcosan, when would they come in front of Council and then when would Council vote on them?

The Chair:

Ten days.

Mr. Wagner:

Ten days and then we would vote the following Monday?

The Chair:

Right.

The Chair presents

No. 1800 WHEREAS, the City of Pittsburgh has always been a national leader in education, whether it be research or in actual practice, with the academic community supporting the many businesses and industries in our City; and,

WHEREAS, the City of Pittsburgh wishes to recognize the value and importance of educating our children and to stress the vital importance of mathematics to our society and City; and

WHEREAS, the City of Pittsburgh recognizes the achievements and contributions of the engineering community and joins the program sponsor, the Pennsylvania Society of Professional Engineers/Pittsburgh Chapter, to promote "MATHCOUNTS' WEEK;" and,

WHEREAS, the City of Pittsburgh wishes to honor those students who win local, state and national Mathcounts competitions, as well as the many thousands who benefit as program participants;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim the week of November 10th to 16th, 1986 as "MATHCOUNTS' WEEK" throughout the City of Pittsburgh and expresses our appreciation for the achievements of those students and teachers who have done so much in bettering their communities and in contributing so extensively to the vitality and progress of the City of Pittsburgh.

Mr. O'Malley moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Wagner:

Mr. President, I move to televise the public hearing coming up, I believe on the 25th, that the Paramedics have requested.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. DePasquale moved to approve the Minutes of Tuesday, October 14, 1986 and Monday, October 20, 1986.

Mr. Wagner seconded the motion.

Which motion prevailed.

And on the motion of **Mrs. Masloff**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Monday, November 17, 1986

No. 44

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, November 17, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Grabowski presented

No. 1803 Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban

Development for a grant in connection with Phase I of the City Center UDAG Project; providing for the execution of a grant agreement and related documents and for the filing of requisitions and other data; approving Phase I of the City Center UDAG Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authority signatures; creating a special trust fund in connection with the Project; and providing for the deposit of the funds in a bank account.

Also,

No. 1804 Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the implementation of Phase I of the City Center UDAG Project at a cost not to exceed \$6,000,000.00, chargeable to and payable from Phase I of City Center UDAG Project Trust Fund.

Also,

No. 1805 Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with Phase II of the City Center UDAG Project; providing for the execution of a grant agreement and related documents and for the filing of requisitions and other data; approving Phase II of the City Center UDAG Project; providing for required assurances; providing for

execution of payment vouchers on Letter of Credit and for certification of authority signatures; creating a special trust fund in connection with the Project; and providing for the deposit of the funds in a bank account.

Also,

No. 1806 Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the implementation of Phase II of the City Center UDAG Project at a cost not to exceed \$6,000,000.00, chargeable to and payable from Phase II of City Center UDAG Project Trust Fund.

Also,

No. 1807 Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with Phase III of the City Center UDAG Project; providing for the execution of a grant agreement and related documents and for the filing of requisitions and other data; approving Phase III of the City Center UDAG Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authority signatures; creating a special trust fund in connection with the Project; and providing for the deposit of the funds in a bank account.

Also,

No. 1808 Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the implementation of Phase III of the City Center UDAG Project at a cost not to exceed

\$6,000,000.00, chargeable to and payable from Phase III of City Center UDAG Project Trust Fund.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Grabowski moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 1809 Resolution approving an Agreement by and between the Urban Redevelopment of Pittsburgh and Signet Associates & Polish Hill Civic Association in which the Urban Redevelopment Authority of Pittsburgh will provide financial assistance to the purchasers of houses to be constructed in the 6th Ward of the City under the terms and conditions of the Neighborhood Housing Program. The developer will construct 8 townhomes on this property. The Officer is: Barry Lhormer, President.

Also,

No. 1810 Resolution amending Resolution No. 230 effective March 31, 1986, entitled: "Resolution authorizing the Mayor and the Director of the Department of City Planning to enter into Agreements with the following groups: Greater Pittsburgh Visitors and Convention Bureau to utilize funds for construction of a new building; Hill District Project Area Committee to assist in neighborhood Revitalization Activities; Mom's House to assist in

rehabilitation of building; and Bedford Dwellings Residence Council to assist in Food Distribution to unemployed persons, by correcting the name of the group Greater Pittsburgh Visitors and Convention Bureau to Greater Pittsburgh Visitors and Convention Bureau Education Foundation, Inc."

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. O'Malley presented

No. 1811 Resolution providing for the issuance of warrants in the aggregate amount of \$7,000.00 in full settlement of a claim for personal injuries by Garrick Clark, a minor, and Anne Clark, his mother and natural guardian, and Anne Clark in her own right, arising from an accident which occurred at a Pittsburgh recreational area know as Kite Hill Park on Hillcrest Avenue. The plaintiffs allege that the injuries sustained by the minor plaintiff were as a direct, sole and exclusive result of the City of Pittsburgh's failure to maintain the sidewalk area adjacent to its playground property, and failure to properly repair an area of sidewalk previously excavated by the City of Pittsburgh Department of Water, payable from Code Account No. 46, Judgments.

Also,

No. 1812 Resolution transferring the sum of \$105,000.00 from Code Account No. 46, Judgments to Code Account No. 1080, Consumer Protection and Anti-Trust Proceedings. This transfer is necessary to pay expenses for the remainder of 1986.

Also,

No. 1813 Resolution providing for a Contract or Contracts or use of

existing Contracts for the furnishing, delivery, and installation of a cardiopulmonary resuscitation (CPR) learning system for the City of Pittsburgh's Safety Program at a cost not to exceed \$30,000.00, payable from Code Account No. 1067, Safety Program, Department of Finance.

Also,

No. 1814 Resolution Repealing Resolutions, approved on various dates, for sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Also,

No. 1815 Resolution providing for the filing of a petition or petitions for the sale of certain properties, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 1816 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Terry Woodcock to attend a two-day seminar in Washington, D.C. from December 3-4, 1986, at a cost not to exceed \$900.00, payable from the JTPA-1 Trust Fund.

Also,

No. 1817 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Dave Farley to attend the Annual Meeting of the United States Conference on Mayors and Training Council in Washington, D.C. from January 20-22, 1987, at a cost not to exceed \$900.00, payable from the JTPA-1 Trust Fund.

Also,

No. 1818 An Ordinance directing the Board of Elections to place before the qualified voters a referendum question as to whether they are in favor of amending the Home Rule Charter to provide for the election of City Council: (1) Nine at Large or (2) a combination of Seven By District and Four At Large.

—(SPONSORED BY MR. O'MALLEY)

Also,

No. 1819 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 246, Home Rule Earned Income Tax, Section 246.02, Imposition of Tax, by changing the rate of tax and by clarifying administrative procedure.

Also,

No. 1820 An Ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 256, Realty Transfer Tax, Sections 256.03, Exceptions, by changing the rate of tax and by conforming the Exceptions to amendments of the Enabling Act.

Also,

No. 1821 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 243, Business Privilege Tax, Section 243.02, Tax Levy and Rate, by changing the rate of tax.

Also,

No. 1822 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 247, Institution and Service Privilege Tax, Section 247.02, Tax Levy and Rate by changing the rate of tax.

Also,

No. 1823 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 253, Parking Tax, Section 253.02, Tax Levy and Rate, by changing the rate of tax.

Also,

No. 1824 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 241, Amusement Tax Computation, by changing the general rate found in Subsection (a).

Also,

No. 1825 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 245, Earned Income Tax, Section 245.02, Levy and Rate, by changing the rate of the tax.

Also,

No. 1826 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 249, Mercantile License Fees and Tax, Section 249.04, Tax Rate, by changing the rate of tax.

Also,

No. 1827 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 251, Occupation Privilege Tax, Section 251.02, Levy and Rate, by changing the rate of tax.

Also,

No. 1828 An Ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-

Related Taxes, Chapter 255, Realty Transfer Tax, Sections 255.02(a), Levy and Rate, and 255.03, Exceptions, by changing the rate of tax and by conforming the Exceptions to amendments of the Enabling Act.

Also,

No. 1829 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, Chapter 261, Personal Property Tax, Section 261.02, Levy and Rate, by changing the rate of tax.

Also,

No. 1830 An Ordinance amending the Pittsburgh Code, Title Two, "Fiscal", Article IX, "Property Taxes", Chapter 263, "Real Property Tax", Section 263.01, "Levy and Rate on Lands and Buildings", by levying the real property tax for 1987.

Also,

No. 1831 Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the year beginning January 1, 1987.

Also,

No. 1832 Resolution fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1987.

Also,

No. 1833 Resolution adopting and approving the 1987 Capital Budget and 1987 Community Development Block Grant Program; and approving the 1987 through 1992 Capital Improvement

Program.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 1834 Resolution providing for a Contract or Contracts or the use of existing Contracts for the purchase of microfilm equipment to be used in the Department of Water at a cost not to exceed \$22,000.00, chargeable to and payable from Code Account 1925, Equipment, Administration Division.

Which was read and referred to the Committee on Water.

Mr. Wagner presented

No. 1835 Resolution amending Resolution No. 18, approved January 21, 1983, entitled: "Authorizing and directing the Bureau of Cable Communications, Department of Public Works to broadcast all of Council's Regular Legislative Sessions, Standing Committee Meetings," by providing for the broadcast of all public hearings, except Zoning hearings.
(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Public Works.

Also,

No. 1836 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Detective Chester Williams and Commander Edward Patterson, Bureau of Police, Department of Public Safety, to attend Maglocien's Symposium on Terrorism in Baltimore, Maryland from November 18-20, 1986, at a cost not to exceed \$250.00, payable from the DPSTPP. Permission is also requested for use of a City vehicle. (PRIOR

APPROVAL GRANTED)

Also,

No. 1837 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for Inspector John F. Purnell, Fire Prevention, Department of Public Safety to attend the National Emergency Training Center Seminar to be held November 10 through November 21, 1986 in Emmitsburg, Maryland, at a cost not to exceed \$250.00, payable from Code Account (PRIST), Bureau of Fire, Department of Public Safety. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on Public Safety.

Mr. Woods presented

No. 1838 Communication from Dante Pellegrini, City Solicitor, Department of Law, submitting a report summarizing settlement claims not to exceed \$750.00, for the Third Quarter of 1986, payable from Code Account No. 1081, Petty Claims. Also, submitting a report summarizing settlement claims in excess of \$750.00, for the Third Quarter of 1986, payable from Code Account No. 46, Judgments.

Also,

No. 1839 Petition from the residents of the City of Pittsburgh, requesting a public hearing concerning the representation of the Brighton Heights area on the ALCOSAN Board of Directors. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which were read, received and filed.

Also,

No. 1840 An Ordinance directing the Allegheny County Board of Elections of place before the qualified voters a referendum question as to whether they are in favor of amending the Home Rule Charter to provide for the election of City Council Members: 1) Nine at Large or 2) Seven by District. —(SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on Finance.

Also,

No. 1841 Resolution providing for an Agreement or Agreements with the Allegheny Chamber of Commerce, for professional services in connection with the Business Outreach Program, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1103, Miscellaneous Services, Department of City Planning; and transferring \$3,000.00 from Code Account 10, Accounts Payable Prior Years to Code Account 1103, Miscellaneous Services, Department of City Planning. —(SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on Planning, Housing and Development.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1842

Report of the Committee on Finance for November 12, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1698

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Trumbull Corporation (Perry J. Dick, President) in the amount of \$2,103.37 in payment of Extra Work, being in addition to the original contract price of \$4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant, Phase I; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1699

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Conn Construction Company (Converse Branscome, Jr., President) in the amount of \$1,434.14 in payment of Extra Work, being in addition to the original contract price of \$2,536,174.03 on Controller's Contract No. 27563, furnished for the benefit of the City in connection with the Reconstruction of the Pennsylvania Avenue Roadway and Bridge; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mrs. Masloff
Mr. Givens Mr. O'Malley

Mr. Grabowski Mr. Wagner
Michelle Madoff Mr. Woods
 (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1722

A Resolution entitled, "Resolution providing for the transfer of funds totalling Four Hundred and Sixty Thousand (\$460,000) Dollars from various Code Accounts to Code Account 1132-2, Index Code 113225, Telephone Services and Equipment, Department of General Services."

Which was read.

Michelle Madoff:

On Bill 1722, the telephone bill, my colleague, Mr. Pollock, has some concerns that I believe he is reviewing telephone bills of the City, and I'm sorry he's not here; I wanted to ask him what he wanted to do with this bill. I think we have to go ahead with it simply because of the dollars involved; we have to pay for the equipment we've ordered. But I understand there's going to be some large outstanding amounts found in departments.

I've already mentioned the issue of calling the adult lines, the pornographic lines, etc. for \$1.50 a call coming out of one department. They don't know who is doing it or whether its more than one person, but it's a significant amount of dollars, lots of money, hundreds of dollars.

I would also like to suggest that for

the use of Councilmembers, perhaps Mike Perry could design a little card, because I call areas on social calls and I have my own charge number. But I also call the same areas on business for the City. I'm working on a project now on software with LTD but I'm calling and people would not know whether its personal or not and if we had a little card that we could just record the numbers and why we're calling, I think that would be helpful to turn in at the end of the month, if something could be prepared for us.

Also,

Bill No. 1727

A Resolution entitled, "Resolution authorizing the transfer of funds as invoices are submitted for the purchase of Asphalt at a cost not to exceed \$75,000.00 from Code Account PR86-02, 4-10-10-0002-86, Index Code 320895 in the Department of Parks and Recreation to the Department of Public Work's Code Account 4R, Asphalt Reimbursement Trust Fund, Index Code 250100."

Which was read.

Also,

Bill No. 1728

A Resolution entitled, "Resolution transferring \$17,185.37 in appropriations from Capital Budget Project PR86-02, 4-10-10-0002-86, Index Code 320895, Resurfacing of Park Roads to Project PR86-04, 4-10-15-0008-86, Index Code 322875, Play Equipment in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1733

A Resolution entitled, "Resolution providing for the issuance of a \$1,276.00 warrant in favor of Dorothy Wozniak in settlement of claims for property damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 1734

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Carnegie Mellon University, in payment of Labor-Management Committee training for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1735

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an accounting firm to provide professional auditing services as required by the Pennsylvania Department of Labor and Industry in connection with the Job Training Partnership Act (JTPA) Program and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1736

A Resolution entitled, "Resolution authorizing the sale of 2115 Perrysville Avenue in the in the 25th Ward of the City of Pittsburgh to the Perry Hilltop Association For Successful Enterprises for a total sum of \$1.00."

Which was read.

Also,

Bill No. 1737

A Resolution entitled, "Resolution amending Resolution No. 903, Item I, approved October 13, 1986, which authorized the sale of property in the 28th Ward, being a vacant lot, located at 224 Pringle Street, designated as Block 67-L, Lot 162 to Roy R. Patterson and Concetta A. Patterson for the sum of \$350.00."

Which was read.

Also,

Bill No. 1738

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1741

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of International Business Machines Corporation, P.O. Box 12147, Philadelphia, PA 19105, in the amount of \$2,118.00 in payment for rental of equipment furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 1843

Report of the Committee on Public Works for November 12, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1708

A Resolution entitled, "Resolution granting unto Ron and Denise Daugherty, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an off-street parking area on a portion of the unimproved Reese Street in the 19th Ward of the City of Pittsburgh."

Which was read.

Mr. Wagner:

Mr. President and members of Council, Bill No. 1708, I asked some questions in regard to that bill last week from the Director of Public Works. He indicated that we would have that information, a map, some photos; it hasn't yet been presented to us. Therefore, I'd like to make a motion to recommit the bill.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

Bill No. 1768

A Resolution entitled, "Resolution amending Resolution No. 478, effective June 10, 1986, entitled: 'Resolution

providing for the letting of a Contract or Contracts for the design, lease purchase, and installation of high pressure sodium street lighting for the Department of Public Works, for a period not to exceed five (5) years, Code Account 1545, Index Code 154500, Street Lighting, Department of Public Works, for payment thereof, by decreasing the total allocation by \$200,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 1844

Report of the Committee on Planning, Housing and Development for November 12, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1710

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01((a)A(25)) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to McDonald's Corporation, lessee, for authorization for a Unit Group Building Development to sublet a designated portion of the zoning lot to the Jiffy Lube Company for construction of a one-story building to be occupied as a fast auto lubrication service business with an optional quick type auto wash with the McDonald's Restaurant to continue as is. The property is located on the corner of WEST LIBERTY AVENUE and WENZELL AVENUE, 19th Ward."

Which was read.

Mr. Givens:

On Bill 1710, I would request that the effective date would be that of the Mayor's signature on it. These people are ready to go and as quickly as they can, you know, while there's still a little bit of weather left, to get this thing off the ground.

Mr. Wagner seconded the motion.

Which motion prevailed.

Michelle Madoff:

Discussion. May I point out to my esteemed colleagues and the President of this Council, that on the bill that I introduced with reference to changing the rules of Council to the number of members of Council, that I also said that we could adopt it when the Governor signs it. In other words, we are permitted to do just what we're doing

now and then make it effective when its signed.

I just wanted to point out that there should not be a double set of rules.

Also,

Bill No. 1711

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Health and Welfare Planning Association for the Administration of "Commission on Families", at a cost not to exceed \$50,000.00."

Which was read.

Also,

Bill No. 1712

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between Urban Redevelopment Authority of Pittsburgh and John Pritchett, Jr. and Ann Pritchett for the sale of Block 22E Lots 246 & 247 in the 21st Ward of the City of Pittsburgh (REAR YARD)."

Which was read.

Also,

Bill No. 1713

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Ralph C. Johnson and Fannie M. Johnson for the sale of Block 23F Lot 303 in the 25th Ward of the City of Pittsburgh (PARKING)."

Which was read.

Also,

Bill No. 1714

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Garfield Jubilee Association, Inc. for the sale of Block 50G Lot 40B in the 10th Ward of the City of Pittsburgh (RESALE FOR REHABILITATION)."

Which was read.

Also,

Bill No. 1715

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 21st Ward of the City of Pittsburgh designated as Block and Lot 22E-247 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1716

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Dorothy Ringgold and spouse if married, and designated as Block and Lot 22P-337 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve

Fund, said property having been certified by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1717

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Ricardo P. Gurjardo and designated as Block and Lot 23F-303 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1718

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 25th Ward of the City of Pittsburgh designated as Block and Lot 23F-178 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1719

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Jeremiah F. Dillon and Susan Dillon, husband and wife and designated as Block and Lot 22P-337 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1720

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh owned by Recon Land Company and designated as Block and Lot 22-G-87 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been Certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1774

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the Oakland Portal UDAG Project; providing for the execution of a Grant Agreement and related documents and for the filing of requisitions and other data; approving the Oakland Portal

Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authority signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

Also,

Bill No. 1775

A Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the implementation of the Oakland Portal Urban Development Action Grant Project and further providing for the payment of the costs thereof not to exceed \$1,250,000.00."

Which was read.

Also,

Bill No. 1776

A Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the implementation of Housing Projects funded by the Pennsylvania Department of Community Affairs; providing for the payment of the costs thereof not to exceed \$1,000,000; providing for the creation of a Special Trust Fund in connection therewith; and providing for the deposit of the funds in a bank account."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

Bill No. 1845

Report of the Committee on General Services for November 12, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1723

A Resolution entitled, "Resolution providing for the letting of a contract or contracts, or for the use of existing contracts, for various energy conservation projects and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1724

A Resolution entitled, "Resolution providing for the letting of a contract or contracts, or for the use of existing contracts, for various public buildings maintenance services, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1725

A Resolution entitled, "Resolution providing for a professional services agreement or agreements for "Hands-On Driver Training" for the Department of General Services, and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

On Bill No. 1725, all we're doing is giving the authority to do a program; we're not defining the program. I have a call in now to the young woman who is supposedly running the program to find out what is happening.

My understanding is that a driver who is experienced goes out with an inexperienced driver and perhaps helps him in what they do. I'm looking into simulation. The reason is that they can come back over and over and over again. If we buy our refuse trucks for five years under the Leasing Authority, the simulation disk would be good for five years and as long as that truck was available.

I don't think we can hold it up because I think its only on money at this point, but I want to be sure that we don't lose control of what happens. It's unfortunate because there's no one in today. I tried getting everybody and no one is there. Everybody is sick; all the secretaries are out, no one is around, they're all at meetings.

My question is, does this come to us before there is an actual program or once we vote on this is it out of our hands?

The Chair:

It's out of our hands. They put the program together, General Services.

Michelle Madoff:

Would there be any problem in holding it a week?

The Chair:

It's your Committee. It's up to you.

Michelle Madoff:

I'd like to hold it one week just so I could check it.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mrs. Masloff presented

Bill No. 1846

Report of the Committee on Parks and Recreation for November 12, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1729

A Resolution entitled, "Resolution providing for the filing of application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Environmental Resources, for a Pennsylvania Conservation Corp Grant to be used for the improvement and rehabilitation of Schenley Park, under the Department of Parks and Recreation, providing for the execution of a Grant Contract and for the filing of requisitions and other data, providing for required assurances; providing for certification of authorized signatures; providing for the execution of payment vouchers on Letter of Credit; providing for the creation of the Pennsylvania Conservation Corp Trust Fund; providing for the deposit of funds into the Trust Fund; and for the payments of costs and expenses of the Pennsylvania Conservation Corp Project."

Which was read.

Also,

Bill No. 1730

A Resolution entitled, "Resolution providing for the letting of a contract or contracts, or the use of existing contracts, for the furnishing and delivery of various play equipment for the Department of Parks and Recreation, payable from Code Account PR86-04, 4-10-15-0008-86, Index Code 322875, Play Equipment, Department of Parks and Recreation, and for payment thereof."

Which was read.

Also,

Bill No. 1784

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Vietnam Veterans, Inc. for professional services in connection with bringing the Mobile Vietnam Veterans Memorial to Pittsburgh for the benefit of the residents of Pittsburgh, at a cost not to exceed \$7,000.00, chargeable to and payable from Code Account 1838, Miscellaneous Services, Department of Parks and Recreation."

—(SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mrs. Masloff

Mr. Givens Mr. O'Malley
Mr. Grabowski Mr. Wagner
Michelle Madoff Mr. Woods
 (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 1847

Report of the Committee on Public Safety for November 12, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1742

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase furniture for Emergency Medical Services and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mrs. Masloff
Mr. Givens Mr. O'Malley

Mr. Grabowski Mr. Wagner
Michelle Madoff Mr. Woods
 (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 1848

Report of the Committee on Engineering and Construction for November 12, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1700

A Resolution entitled, "Resolution Repealing Resolution No. 593, effective July 15, 1986, entitled, 'Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the design for increased illumination in Market Square; and providing for the payment of the cost thereof.'"

Which was read.

Michelle Madoff:

On Bill 1700, it's a perfect example. I had objected very strenuously to spending \$5,000.00 to have a consultant tell us how to light Market Square when we have an expert in house. Mr. Lou Gaetano has done it a hundred thousand times and was perfectly willing to offer his expertise.

Someone saw the light and that bill was repealed, and I think I'm being fed, sort of a token little playcation, in that we won't charge \$5,000.00 for a consultant, Mr. DePasquale, that we've got the next bill coming in at \$75,000.00 over on consultants.

And for the record, the consulting bill to date is \$4.8 million over three years. The gentleman in charge of that department came on board five years ago, Mr. McDermott. Most of the contracts were started three years ago and in that time we spent \$4.8 million. We could have probably had built a new Safety Building with that money.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1701

A Resolution entitled, "Resolution amending Resolution No. 1040, effective December 6, 1983, entitled, 'Providing for an Agreement or Agreements with

Michael Baker, Jr., Inc., for Preliminary Design and License Application in connection with the proposed Hydroelectric Project at Allegheny River Lock and Dam No. 2; and providing for the payment of the cost thereof,' by amending the title to read Consultant or Consultants and by increasing the total project allocation from \$315,000.00 to \$390,000.00." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. DePasquale:

Mr. President, the original amount was \$315,000 and we're being told now that \$75,000 is just for a consultant?

Michelle Madoff:

That's right, Mr. DePasquale.

Mr. DePasquale:

I don't recall, was it discussed at the meeting Wednesday?

The Chair:

Yes.

Mr. DePasquale:

I make a motion to recommit.

Michelle Madoff seconded the motion.

Which motion prevailed.

Michelle Madoff:

Are we going to allow comments on the recommittal?

The Chair:

No, it's recommitted.

Michelle Madoff:

Well, Mr. Givens wants to make a comment and if its on the recommittal, I'd like to make a comment.

The Chair:

No, on the recommittal there's no comments. We'll discuss it Wednesday.

Michelle Madoff:

May I ask that my comments from last Wednesday be brought forward on those bills as to why I'm supporting Mr. DePasquale's recommittal.

(BEGINNING - MICHELLE MADOFF'S REMARKS ON BILL NO. 1701 - WEDNESDAY, 11-12-86)

Michelle Madoff:

That's the bill I was referring to, the \$5,000. We didn't need to have a consultant and we now have \$4.8 million in consultants. It may only be \$5,000, but maybe we're moving in the right direction. This is the kind of thing Mr. Gaetano knows about and is doing.

MR. DEPASQUALE COMMENTS

Michelle Madoff:

For the record, I'd like to say why I'm opposed. We're talking about another consulting fee of great magnitude. I don't know that we need it. I want to look at the tab sheets.

(END OF REMARKS)

Also,

Bill No. 1702

A Resolution entitled, "Resolution further amending Resolution No. 1283 of

1985, as amended, entitled, 'Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program' by creating two (2) new line items and adjusting the Summary Total."

Which was read.

Also,

Bill No. 1703

A Resolution entitled, "Resolution providing for a contract or contracts, or use of existing contracts, for the relighting of Sullivan Field; and providing for the payment of the cost thereof."

Which was read.

Mr. Givens:

I'd just like to make a comment on Bill 1703, Sullivan Field. All this past summer on Sullivan Field, there were no lights. The foundation of these lights apparently eroded; they were concrete base with a steel structure coming down from the lights and they just rotted away. A good windstorm came up in March and one of them blew over and tha was it.

That was March of 1986. The bill is just going in now. We have many softball leagues, we had to farm people from the Sullivan Field area to the South Hills and the West Hills of Pittsburgh in order for teams to be able to compete in ballgames.

It's inconceivable to me that it took this long and it's no problem with Mr. DePasquale because this comes out of Parks and Recreation, primarily, and I've talked to Louise Brown until it ran out my ears, on this particular field.

This field went the whole summer season without any lights. It's going the whole football season without any lights.

That's not too bad, but about five or six blocks away, the Bloomfield recreational facility, banks lights have been out in that field where the field is not properly illuminated.

That's bad enough but we go five more blocks over to the 28th Street Bridge and we hit West Penn up on Polish Hill. Again, the same situation happened up there, Jeep. The lights, half the banks are out, half of them are in.

Then the best field we have in the City of Pittsburgh is Ft. Pitt Hill up on top of Garfield Hill there. There were no lights at all on that particular field for about the last year or two. I asked Louise Brown countless times to do something about that. We're going to go out, we're going to survey it, we're going to find out what the cost will be, etc. Nothing has happened. This is the first bill that has come through for any appropriation to correct that.

The Bloomfield Bridge, excuse me, are getting new lights aligned with the new bridge. You might have seen them when you're out there; the skeleton of the light fixtures are coming up on the Bloomfield Bridge. But for a city to have to endure this for this long a period of time when, in fact, the money was in the budget, Mr. President, and this Councilman and probably others that have been talked to by people in these communities, told us about this and we would go and confront primarily Louise Brown, and nothing would happen. This is not the way government can operate. And Louise Brown is going to be coming up before this Council on this budget deliberation for 1987 and she's going to have to give me serious reasons why this went on for one whole year when, in

fact, there was money in the budget and appropriated. Why this didn't happen, I don't know. It's something we must have a better track record than this. To ignore people like this and to have to throw kids and our whole schedule of all the events that happen on these overcrowded fields already, to have to scatter them throughout the City and inundate other neighborhoods that already had a compressed athletic program.

All of us know, as we grew up in the City of Pittsburgh, these are the types of programs that kept the kids busy, kept them off the streets, and kept them away from crime, and kept them under good leadership by the coaches and the leaders of these various athletic groups, and did something with our youth of the City of Pittsburgh all over. But especially this area was impacted this last summer and I did not appreciate it one bit. I do appreciate, Mr. DePasquale, that we're doing something, at least getting some money in there to put some lights up. You can't tell me that they can't put a set of lights up in the City of Pittsburgh and it's going to take us two years to do it.

Thank you, Mr. President.

Michelle Madoff:

Same subject. I couldn't agree more with my colleague, Mr. Givens, and it goes beyond that. It is not just lights; he is just touching on the tip of the iceberg. We paved a number of the tennis courts in some of the areas where the minorities really have no other activities and this has been one of their social activities and one of their outlets and we've just done nothing about repaving the courts.

We have courts in Squirrel Hill that were paved recently and immediately

went bad. I want to know who we're suing, who put it in, whether it's being re-done, and I don't get any more answers than he gets.

I was going to call for a post agenda but I think Mr. Givens is right. The proper forum will be when Ms. Brown comes for budget next year to say, "Why don't you do what you're supposed to do with the money we give you, and if not, don't ask for it." I think we need an accounting from her as to the fields and tennis courts that are in disrepair, as to who paved them, why they were not done properly. I've asked for this; I haven't gotten any answers either. I ask for it all the time, I send notes all the time; I get letters from constituents that I pass right on and they're ignored. The people are really up in arms and the person who is getting the most slack out of this is the Administration, the Mayor. They think he doesn't care. And I don't think that's the way it is. I think this is an area where a department head is really dropping the ball because we're not talking, if I may use a Freudian slip, which is really not a great deal of money.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Givens:

Mr. President, if I might have some of the people that would please come forward on the resolution on the bank robbery that we had up there and the capturing of one of the criminals. Would you please come forward?

Mr. Givens presents

No. 1849 WHEREAS, on Thursday, October 30, 1986, young men from the Garfield community aided police officers in the apprehension of two bank robbers, which also led to the capture of an escaped murderer following an heroic chase through back yards and alleys; and

WHEREAS, citizens Albert Thom and Kevin Denham began the chase while helping police searching for two men who were suspected of holding up the Equibank Branch of Penn Avenue earlier that same day; and

WHEREAS, Albert Thom first found the Western Penitentiary inmate, who had escaped from West Penn Hospital the day before, hiding in a garage in Comry Way between Gross and Winebiddle Streets, as he helped the police search for the gun used in the bank holdup; and

WHEREAS, after Mr. Thom and Mr. Denham chased the escaped murderer over fences and across yards, Kevin Denham wrestled him to the Ground, holding him while Anthony J. McIntyre ran to get Police Officer Lawrence

Schohn to make the arrest; and

WHEREAS, in a spirit of public service, Richard Swartz, Director of the Bloomfield-Garfield Corp., unselfishly gave his automobile to officers pursuing one of the robbers, enabling them to apprehend the man; and

WHEREAS, Crime Unit Detectives Salvatore Crisanti and Edward Gray were instrumental in this dangerous search and chase which resulted in the apprehension of an escaped murderer, as well as the two alleged robbers.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend citizens Albert Thom, Kevin Denham, Anthony J. McIntyre and Richard Swartz of Garfield, Police Officer Lawrence Schohn, First Grade Detective Salvatore Crisanti, and Chief Police Photographer Edward Gray, for this heroic pursuit and courageous capture in the performance of their duties as private citizens and police officers.

Mr. Givens moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Givens:

Mr. President, if I might. There was over \$1,000.00 that was retrieved from the bank robbers, and I don't know if you can all remember it, but it was the bank robbers that they were looking for, as well as the escaped murderer that they had from West Penn, and something that was very dangerous at that particular time. This individual was crouched up in a garage in a kind of back

alley way where hardly anybody was going into. No cars were being parked in there; the garage was just recently constructed so there was nobody in there. The next day, the day before this person's capture, in pajamas, he was waiting for an event to happen in Bloomfield, an event where all of my children and many of yours were involved, and that was Halloween. This individual was waiting for Halloween to walk out in his pajamas where all of the kids were on that Halloween day, to make his escape, knowing that that whole area was being prowled both by the citizens as well as the Police Department of the City of Pittsburgh.

There was also a Sergeant John Long who was also involved in that, but not instrumental in the actual capture itself. There was a Tommy McIntyre who went and got the police while his two buddies here subdued the individual. There was a Port Authority bus that saw what was happening and used his actual vehicle to block the robber's escape from the Equibank. All of this took place in a very short period of time.

I just want to bring to your attention and to the media's and to everybody else what happened in last night's news account. There was an individual that went to the aid of a woman that was having some problems, apparently being attacked by, they found out later, by her boyfriend. But not knowing that, two young gentlemen from Clarion State College went to help that individual. Just one of those passer-byers, you know what I mean. One of them is dead today; the other is severely wounded. This is what happens when an individual citizen, like these three gentlemen right here, and the police officers that have this every day of their life, when they go to help somebody, not knowing.

When that individual was fleeing from the scene, the murderer was fleeing from the scene, he did reach in here and pull up his pajamas, they found out after the fact. To begin with, they thought that he was going after his gun, and not knowing if he had a gun or did not have a gun. And this is the type of thing that they subjected themselves to.

In the Bloomfield-Garfield area, we take care of our own, as we do in many areas of the City of Pittsburgh. And I'm delighted at this time, to bring these young gentlemen and police officers forward to give testimony to what happened. It's not very often in the annals of anything that you can catch two bank robbers, on the scene almost, and one murderer who escaped from the hospital, and having kids in the local neighborhood told where they might be and then actually pursue in the chase.

At this time, I would like to bring Mr. Denham up here to say a few words, and Mr. Thom to say a few words, and then I'd also like Rick Swartz to say something and the police officers to give comment because their families are in the back of Council and I'm very proud of them and I hope all of you people are too.

Mr. Denham:

Thanks. I just did it because my sister lives in that alley where the murderer was. I didn't know what was happening right off the bat until Albert told me what was going on and that's when I chased him. Albert is the one that found him first.

Mr. Thom:

I have three children sitting in the back there, and as Mr. Givens said, the next day was Halloween and had he walked out in his pajamas, he could have

done far worse. He probably could have killed somebody because he had nothing to lose at that point in time. It wouldn't have made any difference to him. I didn't feel anything as far as safety; I saw his picture in the paper and we tried to do what we thought was best for our own neighborhood and the residents.

This is Tony McIntyre here. He's the one, when I found the guy in the garage, he's the one that ran and told the police officers that we had recognized him and he helped us in capturing this gentleman who I guess now is back in the Penitentiary.

I thank everybody here.

Officer Schohn:

As a police officer of the City of Pittsburgh, we couldn't have done it without these fellows. It was their courageous work by chasing him. I thought that Halloween started early when I saw a guy running in front of me in pajamas, but if it wasn't for them, we never would have caught him. I'm proud to be here and happy that this worked out the way it did.

Detective Crisanti:

I have to voice my partner's feelings. If all the people cooperated and did as much as these people, we wouldn't have many problems.

Mr. Givens:

Mr. President, needless to say, the alarm had gone out and many other police officers were in the pursuit and coming in to this particular neighborhood to help out the other officers, knowing that we had some pretty desperados there. When you rob a bank, you know you're going away for 10 to 20 years and when you're a murderer, and an escapee,

you have nothing to lose.

So, they all put themselves in great danger and I'm glad the scenario ended very successfully and they captured not just one, but three different people. And hopefully, that will spread the word, don't come into the Bloomfield-Garfield area of the City of Pittsburgh if you're going to try to do any of your dirty work.

Thank you, Mr. President.

Mrs. Masloff presents

No. 1850 Resolution appointing Patrick Kevin O'Toole of 3364 Parkview Avenue, Pittsburgh, PA 15213 as a member of the Cable Communications Advisory Committee, At-Large, Three Year Term, to fill the unexpired term ending December 31, 1987.

Which was read.

Also,

No. 1851 Resolution appointing Sonia E. Thacker of 430 Bausman Street, Pittsburgh, PA 15210 as a member of the Cable Communications Advisory Committee, At-Large, Three Year Term, to fill the unexpired term ending December 31, 1987.

Which was read.

Mrs. Masloff moved to approve the appointments.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Wagner:

Mr. President, I have a couple procedural questions on the people coming in front of us on the Alcosan. That will be a final vote next week, I

suspect.

The Chair:

No. It should have been, but, and I remember, we have to do this, we have a petition from at least 25 residents of the City of Pittsburgh asking for a public hearing on the appointee of Alcosan. If you recall, I know we could just go ahead and appoint without having the first, we could have the hearing later, but a number of my colleagues chastised me for wanting to do that with Glenn Cannon. So, we will have the public hearing first and then we will vote on the particular individual.

Mr. Wagner:

In that case then, it would be appropriate to hold off with those people coming in front of Council.

The Chair:

Sure.

Mr. Wagner:

Do we know when the public hearing will be yet? Will it be as soon as possible?

The Chair:

We're trying to make it as soon as possible but if you look at our calendar with the budget and the number of hearings we have set, I can't see it for a couple of weeks.

If you wish to make a motion not to bring them in this Wednesday, that's fine. They've both been notified but we can cancel it, if you would rather wait.

Mr. Wagner:

I think it would be appropriate to --

I don't even believe there is a need for a motion to do that, is there?

The Chair:

I have to have the consensus of the Council. I could just go ahead and do it but I don't want anyone to say that I'm doing it arbitrarily.

Mr. DePasquale:

Mr. President, on the same subject, did I hear right that the Brighton Heights people have asked for a hearing and also the people from Saw Mill Run?

The Chair:

No, just the ones -- The only petition I got was Brighton Heights.

Mr. Grabowski:

I move that the nominees do not come before Council this Wednesday, until after we have the hearing.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Wagner:

Do we know what date yet? We have a schedule for the various dates that department heads will be coming in front of Council. Do we yet have a date as to when the Mayor will be in front of Council?

The Chair:

Mr. O'Malley has that. It's on your worksheets.

Mr. O'Malley:

Everybody should have gotten a copy of the schedule from now until

December 19th.

Mr. Wagner:

I have received the schedule but in the two previous years, at least one of the two years, the Mayor was not part of the presentation. I'd like to know when the Mayor himself will be in front of Council.

The Chair:

The Mayor always comes.

Mr. Wagner:

I don't mean just to talk about the Mayor's Departmental Budget; I mean about the budget in general.

The Chair:

He comes to talk about his budget, the Administration, the part of the Fifth Floor that he runs, his immediate office. The department heads talk about their particular departments. I imagine if you wanted to ask him when he was sitting there something about another department, there's nothing wrong with that. I don't know.

Mr. Wagner:

The Charter gives us the opportunity once a year to discuss the budget in general with the Mayor. We don't get that opportunity from a formal legislative point of view to do that. It can be done privately but I think with the importance of the budget, any budget, that we should have the opportunity to do that at great length as it relates to the budget in general.

The Chair:

I think that once he's here, we could do that. Once he discusses the

Administration, I'm sure he could go on to other things.

Mr. Wagner:

So, the Mayor will be here —

The Chair:

On the date it says, "Mayor's Office".

Mr. Wagner:

I have a couple of other items, Mr. President, that also relates to the budget. I have not yet seen it but I understand the Administration has a half-hour program on cable TV about the budget. It is on four times a day and will run for a considerable period of time, more or less lobbying the public in support of their budget. When will Council have the opportunity to do the same thing?

The Chair:

I don't think we do have the opportunity to do this, other than what our budget hearings are, Jack. We've never done it. I haven't seen it, I haven't even heard about it. I don't watch television that often and I certainly don't watch Channel 17.

Mr. Wagner:

I believe in all fairness to good government that Council, specifically as it relates to the various committees that we chair, should have the same opportunity and the public should be able to hear not only the opinion of the Administration but the opinion of Council, as it relates to that budget. I can't see us using the cable TV system as a vehicle only for the Administration when, in fact, the cable TV system is paid by the users of that system. It's

really not paid by the Administration. So, I am requesting publicly that we have the same opportunity to discuss the budget as we see it, as the Administration has the same opportunity.

The Chair:

I'll tell you what. I'll look into it but I just think during our budget process we are doing that and especially when we get into Committees. I realize in Grants and Donations there's really not a lot of meat there. I mean, you listen to people coming in and requesting money. But as you know, and this is your third budget, when we sit down and get into the Committees and the departments, that's when you get into the real meat and you express yourself and you find out where everything is going and where they've been.

To me, and it's my own opinion, it's sufficient. But I will look into what you're requesting.

Mr. Wagner:

I see no problem with the Administration doing it; I have no objection to it. It's just that I think Council should have the same opportunity to address the public as frequently and as often as the Administration has.

The Chair:

I see what you mean. In other words, they're supposed to be doing this four times a day and you'd like to have ours on four times a day.

Mr. Wagner:

My last item as it relates to the budget. Obviously, Mr. O'Malley and I are having a little disagreement as it relates to the budget and I simply want

to state that there have been two letters circulated with Council from Mr. O'Malley and one from me.

In regard to the budget, I feel it's very important that Council does not accept the budget, per se, as presented by the Administration. I say that because I firmly think that each and every one of us are the check and balances of this government. I will respect all of your opinions as it relates to the various committees that you chair, and your suggestions as they relate to those committees, whether we are adding, deleting, or amending anything within that particular departmental budget. I would hope the same courtesy would be given towards me in Public Safety.

I believe that its very important and I agree with one of the statements in Mr. O'Malley's memo as it relates to identification of revenue source of funds. I think it's important that we do identify additional funds, whether they be from deleting, amending, or adding to the budget. And I would hope we do that more this year than ever and we not accept everything that has been given to us this year more than ever because there are significant cuts in the budget and we all see through the Grants and Donations how difficult it is going to be to make some very difficult decisions.

The Chair:

I just want to make one comment. Since I've been here, and this is my sixth budget or whatever, we've always made, I shouldn't say radical changes in the budget, but more than enough and I assume, I know I want some changes in this budget and I'm going to recommend some, and I think the last two you've been through, you've seen that we've done that. I see no difference in this budget and we'll do the same thing.

Michelle Madoff:

On the same subject. I have been talking to my colleagues, talking to Reggie Young, I've lobbied the Mayor and I've made no secret about it, that we should have a grants person. The Mayor asked me if I'd introduce legislation but I deferred to you, Mr. President, and we'll do it at budget time. What I'll need is some guidance from the Budget Office as to what day and what time we should hit on that subject so it doesn't get lost in the cracks. So, I would count on the Finance Chairman to make sure that that subject comes up at the right time and to guide me in that.

As far as other items on the budget are concerned, Mr. Wagner, I think my colleague, Mr. Pollock, would agree that if anybody has any expertise in the Water Department it would be me; I've had it for eight years. I've just been on General Services for about a month and I'm pretty much up on what happens in the Water Department and I plan to overview that and there are a lot of committees that I've looked at. I just called Louise Brown about 20 minutes ago, before we came in, and asked her for some data on the Aviary, Zoo, and Conservatory, which I plan to go public with and to present.

That's how we change the budget. I really and truly believe that you have some genuine concerns about how things happen in this Council, but I must say, and I really hate to give Mr. Woods kudos, but things are a lot better than they used to be. They're so much better you have no idea. We used to sit here when the Ayatollah who had every department head witting with the whole staff, all day long, because he wanted to be important. I think Mr. Woods and Mr. O'Malley are running a proficient ship. I have some disagreements about things that we talked about in our back room, I

know you don't like me to say that but since I gave you a compliment I'm allowed, and that is that I think your idea, Mr. O'Malley, to have \$5000 to pay an accounting firm is very productive, it is very progressive, and where Mr. Woods thinks that the media would tear us apart, I think they would applaud us. I think that we ought to pursue that avenue, if even more dollars, to help you prepare a budget that you think would help us because one good idea from an accounting firm might save the City hundreds of thousands of dollars and you're on the right track. With that, I think that I've expressed my opinion on that.

I have another item. I don't know how many people are aware, and I'm pretty sure all of Council is, that the City is about to get another award, another honor. We've been named one of the most 15 liveable cities. I understand that there's going to be an interview done; they're going to go to the five leading cities. Guess who is the first city they're coming to. Pittsburgh. And guess when they're coming. In May. It was on the front page of the Washington Post, there was an article about cities that are being chosen and we're the first city they're going to visit, I think it's one of the major networks. When the major network comes here, where is the first place that they're going to go? They're going to go to Mount Washington. That's our Niagara Falls, that's our major sightseeing tour.

I would urge Mr. DePasquale, get a message to Mr. DePasquale, and a formal letter from this Council, and I'm making it in the form of a motion, that we send a letter to Mr. McDermott that the road they'll be taking up to the overlooks looking out at our City, and taking photographs of the most liveable city, is repaired and we don't end up as a joke where they ridicule us for seven years of

having that road either shut down completely or shut down partially. And now we have water leaking all over the road and we're just lucky that in November we have not had cold enough weather to freeze the water seepage on the Roadway. It is a deathtrap. I hope everybody hears me; it is a deathtrap.

I have talked to the restaurateurs on Mount Washington and they are terrified that somebody gets hurt on that road, slips on the ice, as we had an accident last year, someone leaving one of the restaurants, one of the employees, spun around, was knocked unconscious. We will have lawsuits that we can't even imagine because it isn't something we know about. We know what happens. I don't know what the legal term is, Mr. Pollock, but we're liable, we know, and we've got to do something about correcting this problem. It is a new problem; we have not had water on the Roadway. Mr. Gigliotti was in charge of cleaning up the debris that was plugging up the drainage; I don't know what's going to happen to get that done.

So, I would like to have a memo sent to the Mayor asking him to please see that McArdle Roadway is a showpiece before the major network gets here in the beginning of May to record Pittsburgh as the first city they're reporting on as the most liveable city. And perhaps Mr. DePasquale, who wasn't here, will get a copy of the letter and that would go to Mr. McDermott and to Mr. Lou Gaetano expressing our concern that we don't get laughed at after we're going to be interviewed as the first most liveable city under that designation.

One other item. I would like to request that my remarks on Bill No. 1380 from Wednesday, November 12, 1986 be incorporated into this meeting. The bill was tabled in the meeting.

**(BEGINNING - MICHELLE MADOFF'S
REMARKS ON BILL NO. 1380 -
WEDNESDAY, 11-12-86)**

Bill No. 1380

Resolution authorizing Council to create a position in the 1986 Budget for an individual whose sole duty will be to solicit funds from the corporate and private sectors for the purpose of obtaining revenue for grants and donations for non-profit, educational and/or cultural groups.

Michelle Madoff:

Mr. Schillo and I finally communicated and we understood each other, and he has prepared language to amend the CTAC contract. I'm not going to read it into the record, but I will give a copy of, I'll do a summary of this for the record. It essentially says that the contract with CTAC will provide a special emphasis on resource development by developing the capacity of client organizations to utilize a range of fund-raising strategies as follows: Provide assistance to organizations and fund-raising planning, provide assistance in developing or getting funding proposals, provide training in grass roots fund raising. That basically is what they do now. Finally, Denys Candy mentioned the Pittsburgh Trust for Cultural Resources recently hired someone to assist small arts groups in fund raising. Basically what we want to do is, in the 1987 Budget change the CTAC contract to assign a person who will do nothing more than raise money, with the blessing of the City and the Council, probably if the President of Council is willing to do that, to give a letter encouraging people, to help all the groups that we're going to have to refuse this year on Grants and Donations--

THE CHAIR COMMENTS

Michelle Madoff:

May I finish? Basically the CTAC Program will be the source for the Grantsperson. In other words, I will table my bill. It will be picked up at Budget time, and we are going to add dollars to CTAC, because CTAC doesn't have the capacity or money to hire someone to go out and do what needs to be done, and since Mr. Schillo and the Administration feels it should be done through CTAC--ahh he's nodding his head--am I correct? Would you join us, please? You can't record a nodded head.

Mr. Schillo:

Pardon me?

Michelle Madoff:

They cannot record a nodded head. That is the mechanism which, or modus operandi, which we should be using. Unlike other cities who have taken it upon themselves to hire a Grantsperson to make up for all the Grants and Donations monies that we're going to have to cut off this year, and I think it's irresponsible of us, but I'm taking any route I can get to help all the groups that need help, Women's groups, and all the small, little groups that we've turned down, and some of the major groups whose funds we're going to have to cut this year. Have I stated the case correctly, Mr. Schillo? Would you care to add anything?

Mr. Schillo:

You've stated it totally correctly.

THE CHAIR COMMENTS

Michelle Madoff:

In reading this it doesn't really quite say that; it vacillates and it's a

little wishy-washy, but that's the intent, is that correct? Even though it isn't clear, that's the intent.

Mr. Schillo:

I think if you want to change that, Michelle, change the language, tighten it up, whatever, it would be appropriate for you to make that suggestion to City Planning.

Michelle Madoff:

I've already done it, and I'm going to ask, please, if I may, whether the City Clerk will have that segment of today's statement brought forward in the minutes for Monday, and give me a copy for my Administrative Assistant to put in the Budget hearing, so that I will remember when the CTAC appropriations are made to confer with Finance Chairman, Finance Chairman first of all, and see what we can do to make that viable.

Mr. Schillo:

City Planning.

Michelle Madoff:

Finance Chairman, first of all.

THE CHAIR COMMENTS

Michelle Madoff:

Certainly.

THE CHAIR COMMENTS

Michelle Madoff:

That's correct, Mr. Chairman.

THE CHAIR COMMENTS

Michelle Madoff:

Simply. If I could ask you, could you use anymore money, what would your answer be?

THE CHAIR COMMENTS

Michelle Madoff:

Okay. The point is, there just isn't enough money, even with the training, and it's just like in the environmental days when we said if you wait to clean up pollution, wait to educate--the approach was don't do anything, educate kids. By the time the kids would be educated they'd be dead. It's the same premise.

THE CHAIR COMMENTS

Michelle Madoff:

Education is one facet, but actually having the money right now for the needy, the street people, is another facet. We need it now. So there's two arms, one is the training of groups to go out and to learn how to do it so ultimately maybe that Grantsperson would be able to shift its direction, or the monies from whatever the Grantsperson raises will be shifted to other needy causes. But, at the moment, the Grantsperson's money will, and still always will, be given to the CTAC general fund of distribution dollars to appropriate groups. We don't decide that; CTAC will make that decision. Is that your understanding, Mr. Schillo?

Mr. Schillo:

Uh huh.

Michelle Madoff:

That's mine. Nothing will change. Everything will remain the same. The only thing, instead of the City having a

Grantsperson, like other cities do, to go out to corporations—and incidentally, little companies have never been approached, where the bulk of charity is available now, would come from, the Grantsperson would raise this money, it would go into the general fund of CTAC, but there would be a person who does nothing but raise money to help all the programs that they have, and their ongoing program that we fund would also be a training program for groups, saying we don't know if there'll ever be enough money to meet your needs, it's just that the need has become so great we can no longer vacillate, we can no longer pretend it isn't there. And when we turn people down this year—Mr. Woods, I need your help on this, if I may. Mr. Chairman, may I address Mr. Woods? Mr. Woods, when we have to turn people down on budget this year, this would be a good avenue to say here, we've not only got CTAC for you, but we've provided a Grantsperson who's really going to help you out and concentrate on raising money to help you. So that would be an avenue to help us because, you know, one of the services Council Members offer is scapegoating. The Mayor may detail what we appropriate, but at least we're doing everything within our power to raise those monies. And I have a feeling that if we ask the Mayor directly whether he's in support of this, which I would suggest you do, I would bet that he supports it. I'd put money on it.

THE CHAIR COMMENTS

Michelle Madoff:

Is increase the budget to CTAC, with restrictions.

THE CHAIR COMMENTS

Michelle Madoff:

No, what I've done is to table the

bill and bring it up again at Budget hearings.

THE CHAIR COMMENTS

Michelle Madoff:

And go the route Mr. Schillo has suggested at times of our budget hearings, increase CTAC's dollars, but we write the contract that says this money is for a Grantsperson, that that person cannot do anything else.

THE CHAIR COMMENTS

Michelle Madoff:

Now I want to table it.

THE CHAIR COMMENTS

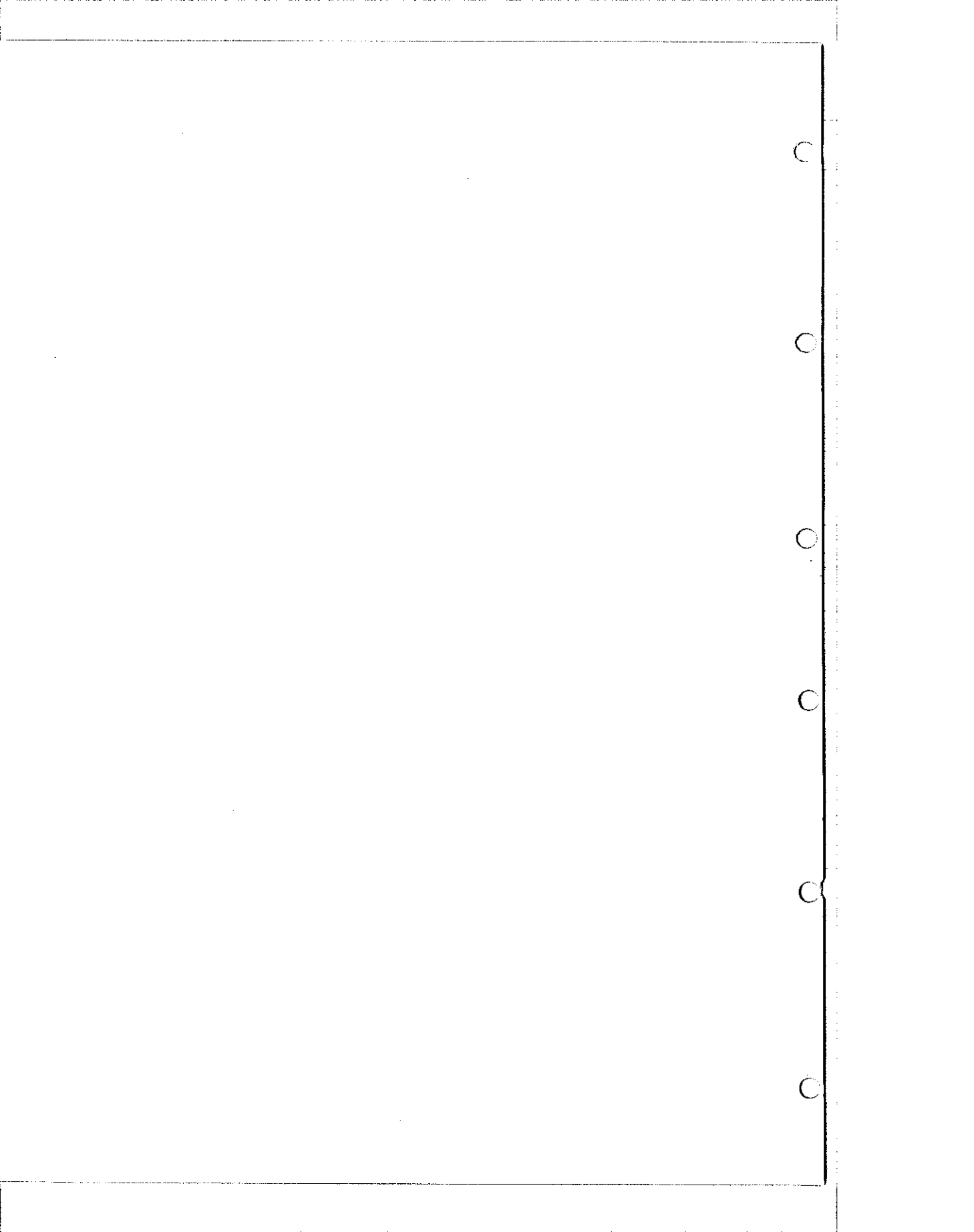
Michelle Madoff:

Table it. I'll address it at Budget hearings.

(END OF REMARKS)

And on the motion of **Mrs. Masloff**

Council adjourned.



Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Monday, November 24, 1986

No. 45

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, November 24, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Depasquale presented

No. 1852 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Landscape Architectural Services in connection

with the Design of a Handicapped Accessible Nauture Trail at Frick Park at a cost not to exceed \$20,000.00, chargeable to and payable from EC 86-65 - \$10,000.00 and EC 86-60 - \$10,000.00.

Also,

No. 1853 Communication from Paul McDermott, Director, Department of Engineering and Construction, requesting authorization for himself to meet with the Federal Interstate Tax Force in Harrisburg, PA on November 12, 1986, at a cost not to exceed \$300.00, payable from Code Account No. 1482. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 1854 Resolution vacating a portion of Brighton Road between Taylor Avenue and Sampsonia Street in the 22nd Ward, City of Pittsburgh.

Also,

No. 1855 Communication from Norman Walker, Director, Department of Environmental Services, requesting authorization for Ruby Allen, Daisy Allen, Elaine Hauser, Janice Rivers and Jean Todd to attend the P.C.O. Training and Update Program at the Dravosburg American Legion Hall in Dravosburg, PA on December 2, 1986, at a cost not to exceed \$150.00, payable from Code Account No. 1176, Miscellaneous

Services. Permission is also requested for use of a City vehicle.

Which were read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1856 Resolution authorizing the transfer of \$73,525.51 from the 1983 Community Development Block Grant Program to the General Fund of the City of Pittsburgh for reimbursement of Salaries, Wages, and Fringe Benefits paid to employees in support of the City's 1985 Community Development Block Grant Program.

Also,

No. 1857 Resolution providing for authorization and transfer of funds in the amount of \$611,528.87 from the 1985 Community Development Block Grant Program Trust Fund, Department of City Planning (CP-85-01) CP 85-01, CD Planning, Program Salaries and Indirect Cost Reimbursement, Code Account CDCPS, to the General Fund of the City of Pittsburgh for reimbursement of salaries and indirect cost for the Community Development Block Grant Program.

Which were read and referred to the Committee on Finance.

Also,

No. 1858 Resolution providing for the filing of an application by the City of Pittsburgh with the Pennsylvania Department of Community Affairs for a grant in connection with the Bryn Mawr Road Project; providing for execution of a Grant Agreement and related documents and for the filing of requisitions and other data; providing for required assurances; providing for creating a Special Trust Fund in

connection with the Project; and providing for the deposit of the fund in a bank account.

Also,

No. 1859 Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the implementation of the Bryn Mawr Road Project, designating the Authority as agent for the City of Pittsburgh for the Project, at a cost not to exceed \$200,000.00, chargeable to and payable from Bryn Mawr Road Project Trust Fund.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Grabowski moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Mrs. Masloff presented

No. 1860 Resolution authorizing the transfer of the aggregate amount of \$400,000.00 from the 1986 Community Development Block Grant Trust Fund, Code Account CDPR, Housing Authority Recreation Salaries, to the General Fund of the City of Pittsburgh for reimbursement of salaries and wages paid to employees in support of the City's Community Development Block Grant Program.

Which was read and referred to the Committee on Finance.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

No. 1861 Resolution authorizing the issuance of a warrant in favor of Flying Tiger Line Inc. in the amount of \$689.14, in payment of freight charges for the Pittsburgh Zoo, chargeable to and payable from Code Account 1852, Miscellaneous Services, Department of Parks and Recreation.

Also,

No. 1862 Resolution authorizing the issuance of a warrant in favor of Jungle Enterprises, Inc. in the amount of \$1,320.00 in payment for the purchase of birds, chargeable to and payable from Code Account ATF (Aviary Trust Fund), Administration, in the Department of Parks and Recreation. (PRIOR APPROVAL GRANTED)

Also,

No. 1863 Resolution authorizing the issuance of a warrant in favor of James L. Smith Insurance Agency in the amount of \$4,500.00 in payment for General Liability Insurance for Senior Citizens Center Services Contract, chargeable to and payable from Senior Citizens Code Account 1843, in the Department of Parks and Recreation.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1864 Resolution providing for an Agreement or Agreements with the Perry Hilltop Association for Successful Enterprises, Inc. (PHASE) located at 2131 Perrysville Avenue for the partial rehabilitations of a building located at 2115 Perrysville Avenue for the use as a Senior Citizen Center, at a cost not to exceed \$65,000.00, chargeable to and payable from Senior Citizen Program Trust Fund (SCPTF).

Also,

No. 1865 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Ann Berkowitz to attend the Road Race Management's Race Director's Meeting and Trade Exhibit in Washington, D.C. from November 14-16, 1986, at a cost not to exceed \$500.00, payable from the Special Parks Program Trust Fund. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 1866 Resolution transferring \$10,000.00 from Code Account No. 1022, Salaries, Regular Employees, Pittsburgh Magistrates Court, Office of the Mayor, to Code Account No. 1022-1, Premium Pay, Pittsburgh Magistrates Court, Office of the Mayor. This transfer of funds is necessary to replenish the soon to be depleted Premium Pay Account.

Which was read and referred to the Committee on Finance.

Mr. O'Malley moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 1867 Resolution providing for the issuance of a \$1,447.50 warrant in favor of Joseph & Rose Redondo in settlement of claim for sidewalk damage by City tree roots, payable from Code Account No. 46, Judgments.

Also,

No. 1868 Resolution providing for the issuance of a \$968.05 warrant in favor of Duquesne Light Company in full settlement for damage to a utility pole, payable from Code Account No. 46, Judgments.

Also,

No. 1869 An Ordinance supplementing the Pittsburgh Code, Title Two Fiscal, Article VII, Business Related Taxes, by adding Chapter 248, the Medical and Higher-Educational Facilities User Privilege Tax, pursuant to the Authority of the Local Tax Enabling Act, 1965, December 31, P.L. 1257, et. seq. and the City of Pittsburgh Home Rule Charter. —(SPONSORED BY MR. O'MALLEY)

Also,

No. 1870 Resolution authorizing the transfer of \$237,000.00 from the JTPA-1 Trust Fund, to the 1986 General Fund of the City of Pittsburgh for reimbursement of Indirect Costs of the Job Training Partnership Act Program for Fiscal Years 1984, 1985 and 1986.

Also,

No. 1871 Resolution amending and supplementing Resolution No. 573,

approved July 2, 1986 and effective July 10, 1986, entitled: "Resolution providing for an Agreement or Agreements with the Prudential Insurance Company of America - Prudential Asset Management Company, Inc., for professional services in connection with the administration of the Deferred Compensation Plan for the City of Pittsburgh personnel, at no cost to the City", by also authorizing the City to enter into Agreements with various providers.

Also,

No. 1872 Resolution authorizing the Mayor and Director of Finance to enter into a Professional Services Agreements or Agreements with a professional services contractor to conduct field surveys to ascertain the completeness and accuracy of City wage tax data files at a total costs not to exceed \$25,000.00, chargeable to and payable from Code Account 10, Accounts Payable Prior Years.

Also,

No. 1873 Resolution Repealing Resolutions, approved on various dates, for sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Also,

No. 1874 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 1875 Communication from Melanie Smith, Director, Department of Personnel, requesting authorization for Barbara Brown to attend a Commonwealth of Pennsylvania

Department of Labor and Industry Youth Training Seminar in Harrisburg, PA on December 4, 1986, at a cost not to exceed \$280.00, payable from the JTPA-1 Trust Fund.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 1876 Resolution providing for the issuance of a warrant in favor of Commonwealth of Pennsylvania Department of Environmental Resources, in the amount of \$1,400.00 in payment for certification of Water Treatment Plant Laboratory, chargeable to and payable from Code Account 1972, Miscellaneous Services, Purification and Pumping Division.

Also,

No. 1877 Resolution providing for the issuance of a warrant in the amount of \$5,400.00 in favor of Allegheny County Sanitary Authority for a permit fee for the discharge of residue at the Water Treatment Plant, chargeable to and payable from Code Account No. 1972, Miscellaneous Services, Purification and Pumping Division.

Which were read and referred to the Committee on Finance.

Mr. Wagner presented

No. 1878 Resolution transferring the sum of \$75,000.00 from Code Account 1461, Fire Salaries and Wages, Department of Public Safety to Code Account 1461-2, Fire In-Grade Pay, Bureau of Fire, Department of Public Safety. This transfer is necessary to cover In-Grade payroll for the remainder of 1986. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Also,

No. 1879 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization to amend Council Bill No. 122 to allow two additional days of reimbursement (February 22 & 23, 1986) for Douglas Garretson who attended the Today Conference and Pre-Conference Workshops in San Diego, CA on February 17-21, 1986. Additional cost not to exceed \$70.00, payable from the DPSTPP Code Account.

Also,

No. 1880 Communication from Glenn Cannon, Director, Department of Public Safety, requesting authorization for fourteen (14) persons to attend "Leak, Spill and Fire Control" in Upper St. Clair, PA on November 22 and 23, 1986, at a cost not to exceed \$1,680.00, payable from the PRIST Code Account, Bureau of Administration. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on Public Safety.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1881

Report of the Committee on Finance for November 19, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1766

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Criscella Construction Company (Emeric A. Criscella, President) in the amount of \$9,700.00 in payment of Extra Work, being in addition to the original contract price of \$45,825.00 on Controller's Contract No. 27188F, furnished for the benefit of the City in connection with the Handicapped Modifications to Special Populations Program Centers; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1767

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of F. A. Beto, Inc. (F.A. Manfredi, President) in the amount of \$1,287.55 in payment of Extra Work, being in addition to the original contract price of \$176,165.00 on Controller's Contract No. 27769, furnished for the benefit of the City in connection with the Emergency Medical Station No. 1; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1769

A Resolution entitled, "Resolution transferring One Hundred Thirty Thousand, Seven Hundred Twenty Dollars (\$130,720.00) from Code Account CC, Community Communications Trust Fund (Index Code 250555) to the General Fund, City of Pittsburgh for reimbursement of indirect costs incurred by the Bureau of Cable Communications for 1986."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mr. O'Malley
Mr. Givens Mr. Pollock
Mr. Grabowski Mr. Wagner
Michelle Madoff Mr. Woods
Mrs. Masloff (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1777

A Resolution entitled, "Resolution providing for the issuance of warrants in the aggregate amount of \$6,000.00 in full settlement of claim by Joan Sims, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1778

A Resolution entitled, "Resolution providing for the issuance of a \$1,000.00 warrant in favor of Elizabeth J. Nieder and Jeanette A. Nieder in settlement of claims for property damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mr. O'Malley
Mr. Givens Mr. Pollock
Mr. Grabowski Mr. Wagner
Michelle Madoff Mr. Woods
Mrs. Masloff (Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 1882

Report of the Committee on Public Works for November 19, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1707

A Resolution entitled, "Resolution accepting the dedication of certain property from Signet Associates which is located between Pulaksi Way and Wiggins Street in the 6th Ward, City of Pittsburgh."

Which was read.

Mr. Givens:

We held Bill 1707 one week by mistake and the people are wanting to move out there in the Sixth Ward, Polish Hill, of the City of Pittsburgh. I ask that this bill be enacted upon the signature of the Mayor.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Also,

Bill No. 1770

A Resolution entitled, "Resolution granting unto Walnut Corporation, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a canopy, steel cornice and 3" channel over a portion of the sidewalk of Walnut Street in the 7th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 1883

Report of the Committee on Planning, Housing and Development for November 19, 1986 transmitting sundry resolutions

to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1803

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with Phase I of the City Center UDAG Project; providing for the execution of a grant agreement and related documents and for the filing of requisitions and other data; approving Phase I of the City Center UDAG Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authority signatures; creating a special trust fund in connection with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

Also,

Bill No. 1804

Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the implementation of Phase I of the City Center Urban Development Action Grant Project and further providing for the payment of the costs thereof not to exceed \$6,000,000.00."

Which was read.

Also,

Bill No. 1805

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with Phase II of the City Center UDAG Project; providing for the execution of a grant agreement and related documents and for the filing of requisitions and other data; approving Phase II of the City Center UDAG Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authority signatures; creating a special trust fund in connection with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

Also,

Bill No. 1806

A Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the implementation of Phase II of the City Center Urban Development Action Grant Project and further providing for the payment of the costs thereof not to exceed \$6,000,000.00."

Which was read.

Also,

Bill No. 1807

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with Phase III of the City Center UDAG

Project; providing for the execution of a grant agreement and related documents and for the filing of requisitions and other data; approving Phase III of the City Center UDAG Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authority signatures; creating a special trust fund in connection with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

Also,

Bill No. 1808

A Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the implementation of Phase III of the City Center Urban Development Action Grant Project and further providing for the payment of the costs thereof not to exceed \$6,000,000.00."

Which was read.

Mr. Givens:

On Bills 1803 through 1808, last Wednesday I requested the Chief Clerk to write to the NAACP and they have minority participation in all City contracts. I wanted to know if they were satisfied. I have not heard from them; I don't know if anyone else did.

Also, I asked for an accounting from our Urban Redevelopment Authority, Mr. Ray Christman, to give this Council a report on the participation by federal, state and local rules and regulations, as to whether or not the City was complying with all of those, including that of Urban, which also has

their own set of guidelines and rules. Why I asked that is that each one of them sometimes asks for a little bit more stringent requirements for minority participation. I have not received that and that is sad.

These bills will come back before us. This is an application right here and these bills will come back before us again. So, I will have an opportunity to discuss that particular issue.

The labor unions, etc., and the Allegheny Labor Council all responded with a positive yes, let's go forward on these.

The fact that these bills must be in Washington, D.C., talking to the Chairman, Steve Grabowski, on it, I do not want to hold them up. But I think it sends out another flag to this Councilman that when we ask at Council sessions for particular information, to give us that information for decision-making, and we do not have it, then as one Councilperson has indicated many times, we operate in a vacuum. Hopefully, again, we'll have an opportunity on acting on these bills once more and hopefully I will still get a response from the NAACP, I will still get a response from the Urban Redevelopment Authority as to whether or not we are, in fact, meeting the guidelines and, in fact, are people satisfied with what we're doing here within the City of Pittsburgh. I need that information before we make final deliberation when the bills come before us sometime in the future.

Thank you, Mr. President.

Mr. Grabowski:

Mr. President, I didn't realize that Councilman Givens did not have the information he requested but, in fact,

there is a time constraint on these bills and I'm glad that he's not asking that we hold it. But perhaps at this Wednesday's Committee Session we can deviate somewhat from the normal practice of Council and discuss with Mr. Christman the information that Councilman Givens is requesting.

The Chair:

I don't chair that meeting, Mr. Grabowski or Mr. Givens, but I hope to be present at that meeting and if anyone intends to discuss these bills I will object because at the Committee Meeting we only discuss what is on that agenda for that day.

Michelle Madoff:

Mr. President, I agree with your position and I think if somebody wants information they should do what we did or what other people do and that's to hold a post agenda. That would be the appropriate place.

Mr. Wagner:

I need one point explained. Councilman Givens indicated that the bills will come in front of us again.

The Chair:

These are applications.

Mr. Wagner:

Could I have a clarification of that? When and how will they come in front of us again?

The Chair:

When they start the projects they'll have to come in.

Mr. Givens:

When the money comes in we have to again appropriate that money, if it comes in.

Mr. Grabowski:

It's quite possible these applications will be rejected and there won't be any money forthcoming and Councilman Givens' concerns will never have an opportunity to realize themselves.

Mr. Givens:

I'd like my remarks from Wednesday to be brought forward on Bills 1803 through 1808.

(BEGINNING - MR. GIVENS' REMARKS ON BILL NOS. 1803 THROUGH 1808 - WEDNESDAY, 11/19/86)

Mr. Givens:

Mr. Ray Christman, please? On all the new bills that we have just acted upon and my vote I would like record as being yes on that Mr. Chief Clerk for the development of the UDAG going for Downtown. There is one stipulation and Michelle's bills tie into it to a certain degree. I am very concerned on minority participation in construction under UDAG grants. What I need from you by tomorrow and I hope you can distribute it to all the Councilmembers is a review of all our past UDAG grants and minority participation by federal, state and our own City laws. I want them broken down, Ray, if you can by the federal requirements, what they require, and a little bit about what the law says on there; any state regulations that require minority participation and our own Councilmatic directives and URA adapted minority participation. I am not personally going to approve another

UDAG grant in this City unless I know that we are complying with all of the various rules and regulations on minority participation.

Secondly, to my dismay, when our last major UDAG Grant has gone in on the Grant/Liberty Development, the new hotel that is going right there, I saw very few labor and contractors from the State of Pennsylvania; most of them have come in from Ohio. Again, someplace, I don't know if this is a request for it when it comes down for final approval and disposition of land, I need to get a guarantee from our Labor Council, the Allegheny Labor Council/Construction Contractors of this area, builders of this area and they have a Council out there that they agree or have some type of agreement with the developers of this new development Downtown, the three phase prong at least on the first phase of it before this Council appropriates the money that we have some type of a written understanding between the unions and the contractors here in the Southwestern Pennsylvania as to how and who are going to be hired on this particular entity. I am not again, approving another UDAG and have people come in from another state and build what our own people are sitting and we saw 45,000 people of our own people right here in the Southwestern Pennsylvania primarily walking. And I don't want to see that happen again and I want to be assured that they are taken care of. If in fact the developer cannot come to a written agreement with the contracting unions in our Southwestern Region in our State of Pennsylvania, then I cannot personally approve any further UDAGs. Can you do that Director?

Mr. Christman:

We would —

Mr. Givens:

First of all on the minorities?

Mr. Christman:

Let me talk first about the past. We provide monthly reports on the status of all UDAG projects regarding minority participation to the MBE Committee; and I can assemble information on what the records have been on other UDAGs pretty quickly for you. As far as this proposed UDAG that you voted on today, that UDAG like all UDAGs would have to have an improved Minority Business Enterprise Plan that would be approved by Jim Simm's committee and my assumption has been that that kind of process has been gone through. I don't know at what point of the pipeline we are on that, but I can find that out for you also.

Mr. Givens:

Ray, you know I have two eyes and I have been at this last contractual site where we provide a substantial amount of money for a UDAG Grant and to my knowledge, I wasn't seeing any minority participation in that particular development. I know the plans say we are to do it, but I want to know after the contract has been completed, actual man hours, percentage --

Mr. Christman:

Are you talking about Liberty Center?

Mr. Givens:

Yes, Liberty Center is mostly what I was interested -- well, I am going back on most of the developments that have been completed already in the City of Pittsburgh over the last say four to five years.

Mr. Christman:

Well, we have those records and I think our level of meeting the 15 percent goal is pretty good, but I will get them for you by tomorrow.

Mr. Givens:

Put them down on one or two sheets saying percentage wise. If the Federal Government for example says ten percent, five percent; if the State says 15 percent; if our local directive says 20 percent which I think is our goal, 20 percent participation --

Mr. Christman:

Our goal is 15 percent and I think that's the only requirements imposed on us by State and Federal Government. It is just a locally imposed goal that we have of 15 percent. I think our record is pretty good, but I will get that information to you.

Mr. Givens:

Then Mr. Chief Clerk, I would like a letter to go to the various unions in regards to what I have indicated here on the host agreement. Have they been satisfied of the last UDAG grants? And I want the major principles in the black community to be notified that this UDAG grant is coming in and that we have to get a very quick response on it because final vote on this will be Monday as to whether or not they have been satisfied or any expiration -- I know the NAACP for example has a committee that deals in with the particular issue. I want to hear from the Chairman of that committee. Thank you.

(END OF REMARKS)

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

Bill No. 1884

Report of the Committee on General Services for November 19, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1725

A Resolution entitled, "Resolution providing for a professional services agreement or agreements for 'Hands-On Driver Training' for the Department of General Services, and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

At the request of Mr. Jacoby, I'd like to amend the bill to change from hands-on driving to driver training.

The Chair:

We have a rule in Council that any amendments in a Monday meeting will be in writing. I'm just doing this because --

Michelle Madoff:

I don't think it's a substantive change. We're just taking two words out that were requested the other day.

The Chair:

Why not just leave it the way it is?

Michelle Madoff:

We can't because it's not accurate.

Mr. Pollock:

I move to waive the rule this one time.

Mr. Wagner seconded the motion.

Which motion prevailed.

Michelle Madoff:

Comment. The reason that we did not have this information in writing nor get it in time is that Mr. Jacoby and Dawn Botsford made a mistake. They apologized profusely; they thought they didn't have to have it in for another week. And that is how this happened. It was not our office; it was their problem.

The Chair:

Tell them the next time they want to amend a bill they not only notify you,

if they would notify the City Clerk he would see that it would be in writing for you or any other Councilperson and we wouldn't have this.

Mr. Wagner:

I would like my comments to be brought forward for the record.

(BEGINNING - MR. WAGNER'S
REMARKS ON BILL NO. 1725 -
WEDNESDAY, 11/19/86)

Mr. Wagner:

I just have one request to go along with the legislation. I would like to put on the record that the Safety Administrator from the City and also the Safety Administrator from the Department of Public Safety Administrator from the Department of Public Safety be part of this to make sure they are well aware of this training procedure whatever it is.

(END OF REMARKS)

Michelle Madoff:

I'd like my comments to be brought forward from the other day.

(BEGINNING - MICHELLE MADOFF'S
REMARKS ON BILL NO. 1725 -
WEDNESDAY, 11/19/86)

Michelle Madoff:

I discussed this with George Jacoby. He assures me - this is a bill that I wished to have approved if the dollars are available; however, we are talking about going to another procedure and I have requested information. In other words, what procedure you use is not relevant to the \$48,000. We are going to try to change the procedure to do simulation if it is already not being

done. Does everybody know what simulation is or shall I define that? Does anybody want to know what I am talking about? We are talking about computer simulation and camera simulation that can bring up and train people like that. We buy our trucks every five years approximately, which is particularly incidentally for Refuse drivers and the program that we have right now is we have an experienced driver taking people out and training them and upgrading their skills. By having a simulation where they can actually touch the screen and make things happen and if they do something wrong, the result of what they do wrong will come up on the screen and they can go in over and over and over again and take the training as opposed to having somebody a person with them in a cab. So, we are looking into the various programs and I have requested from General Services and from the woman who does the training what the program exists of right at this point; but whatever way we go, we still need the dollars to do the training, so I have no problem with voting on the dollars unless my colleagues would like to hold until they know what specific program we are going to have. We have to have a program.

MR. GIVENS COMMENTS

Michelle Madoff:

Well, in the simulation they do the training of people who handle toxic waste, how to handle germ warfare, how to handle sophisticated equipment so that it is done on simulation, it is the state of the art; it is going to be even a greater state of the art in years to come. Training drivers through simulating dangerous situations is very simple to do and the advantage is you are not taking the actual truck out that is worth \$80,000 and endangering the truck. Through simulation, you can do the same thing. I have not as yet

received response to what the actual program is, but I have been told and this gets back to what Sophie said about you have to trust somebody and that the cost to have either the Hands-On-Driving or hands on and a combination of simulation or convert all to simulation and it is still going to cost these kinds of dollars; so we need to appropriate the dollars to get moving with the program one way or the other. And we may not be able to go to simulation that quickly and we have drivers right now that could be doing damage that would be far more costly both insurance wise and to our vehicles, so we have to do with whatever training exists at the moment.

So, I am looking ahead and perhaps I am trying to say this, but we must vote for the bill now.

MR. GIVENS COMMENTS

Michelle Madoff:

I will try again. At the moment the program is a Hands-On-Driver Training Program; there is some, I understand, but I have not had it verified, simulation. I have asked for this information and I have not received it as yet, but at any event, we must have driving training ongoing and immediately for the people who are taking an \$80,000 highly sophisticated equipment and therefore I move that we approve it and I will be looking into other alternatives and if we decide to change the program, I will report back to Council even though we don't vote on the type of program, I will report back that we are now doing something hopefully better or combination thereof.

MR. GIVENS COMMENTS

Michelle Madoff:

I think it might be a good idea in

the future whenever we have these kinds of bills, that the person who is doing the hands on driver training be here to tell us about the program and exactly what they are going to do. I have been trying to get information, that's my committee and I haven't gotten information because although it goes through General Services, the people who do the actual training are people in other departments or not in that particular office and I think Mr. Givens has a good point, before he actually votes, he ought to know what kind of training. I am trying to get that information myself. It may be in my office since I requested it.

(END OF REMARKS)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 1885

Report of the Committee on Public

Safety for November 19, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1785

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Center for Emergency Medicine of Western Pennsylvania (CEM) to provide Medical Command for the Bureau of Emergency Medical Services and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 1886

Report of the Committee on Engineering and Construction for November 19, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1701

A Resolution entitled, "Resolution amending Resolution No. 1040, effective December 6, 1983, entitled, 'Providing for an Agreement or Agreements with Michael Baker, Jr., Inc., for Preliminary Design and License Application in connection with the proposed Hydroelectric Project at Allegheny River Lock and Dam No. 2; and providing for the payment of the cost thereof,' by amending the title to read Consultant or Consultants and by increasing the total project allocation from \$315,000.00 to \$390,000.00." (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

My concern is the \$75,000 additional consultant fee. We have \$4.8 million in consultant fees in three years and I will make a protest vote of no.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't)

AYES 8

NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 1888 WHEREAS, when Pittsburgh's future as a successful hockey town was in question and its tradition as a City of Champions on the decline, the Pittsburgh Penguins drafted Mario Lemieux from Montreal, Canada; and

WHEREAS, young Mr. Lemieux immediately brought strong leadership to the hockey franchise, a quality of athletic excellence that has rejuvenated the team, and a charisma which has restored fan enthusiasm; and

WHEREAS, Mario will now combine his exploits on the ice with charitable activities on the local level to help those less fortunate than himself; and

WHEREAS, Mario will share the proceeds of his newly-formed fanclub, "Lemieux's Legion," with the Epilepsy Foundation, through a catalog of shirts, jackets, and caps, the circulation of a newsletter, and the marketing of a musical recording written in his honor.

NOW, THEREFORE, BE IT

RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby proclaim Tuesday, December 2, 1986, as "Mario Lemieux Day" in the City of Pittsburgh, to honor this explosive young Canadian emigre whose presence and athletic achievements have been so important to the morale of the Pittsburgh Community.

Mr. O'Malley moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

The Chair:

I have an announcement I would like to make, and it should be in all of your boxes now.

Governor Thornburg has asked, and we have granted permission, for him to use our Chambers tomorrow at 3:00 p.m. to sign the legislation permitting the Home Rule Charter change of how we choose our Council to be placed on the ballot this coming May.

Michelle, when you asked me if we would vote on my resolution this coming Wednesday we had already spoken to him and that's why I said yes, we will.

So, that will be signed into law tomorrow at 3:00 p.m. All of Council is invited to attend if they choose to, and the Mayor. It will be in these Chambers at 3:00 p.m. tomorrow.

Mrs. Masloff:

What he's going to do is sign the bill just putting it on a referendum? That's all?

The Chair:

Right. And then the voters of the City of Pittsburgh will decide from that point on.

Michelle Madoff:

Mr. President, in our little joshing when you thought you were pulling my leg and said it's only different when you have it than when I present a bill, and I told you I would go public, you knew that the Governor was going to be here tomorrow at 3:00 to sign this. This is strictly an enabling act that allows a change to be put a referendum on the ballot. However, if the Mayor's proposal of 7-4 or your proposal of 7 by district, with the majority of Council, were agreed upon amongst ourselves, either or any other combination, my understanding from Dan Pellegrini is that he will petition the courts that we will bite the bullet, this Council will be responsible, not force the public opposition, the minorities, those that are disenfranchised will have to seek signatures and that we will resolve the problem in this Council.

I understand that's going to be a subject for Wednesday's Council meeting. Do you have a bill before us on 7 by district? I have a bill that has three proposals, 7-2, Council at large, or by district; my premise being, giving the people the chance to vote for whatever they want. I am not going to vote and decide for the public, nor should anybody here. However, if it is the will of Council that they're going to back your proposition of 7 by district, and I think there are sufficient votes for that, or if we're going to go with 7-4, and I don't know whether there are sufficient votes for that although it is the position of the Mayor and the Administration and many people feel that going to 7-4 or 7 by district would not give the same kind of

power to the Democratic Party. That's something that I'm not very astute at and those who vote will have to make their decision in how they vote. I see Wednesday as being a very long drawn out debate kind of day.

My question becomes, have you looked into the fact, is it factual that if this Council makes a decision to go with one of the preference by a majority vote, that the proponents will not have to go out and get their signatures, the matter would be taken care of, unless they wish to get a signature for something entirely different. In other words, if my bill passes to put all three propositions on the ballot, and yours passes, and there are four questions, then they go to the ballot with the four questions. They don't have to go out and get signatures, it's already on the ballot. Why should we force people to go out and get signatures when we don't have to? Am I factual on that or would you have somebody here from the Law Department to clarify that on Wednesday?

The Chair:

There will be somebody here but if this Council and the Mayor would try to settle this lawsuit out of court and if the plaintiffs agree, that still would not stop anybody from putting a question on the ballot of how we elect our Council. If this Council votes in the affirmative on Wednesday and the following Monday, or whenever we vote, those questions, if the Commissioners permit, those questions will be on the ballot.

Michelle Madoff:

So you're saying the same thing I'm saying and I understand it correctly.

The Chair:

All we would do is stop you from

collecting petitions.

Michelle Madoff:

But we're just saying that we're being responsible and not forcing people to do what we're doing anyway. In other words, they don't have to hit us over the head to make us do what's right; we're doing it on our own.

Would it be appropriate at that point to put on the ballot to eliminate Council entirely and the County government entirely and to go to metropolitan government?

The Chair:

I've been speaking about that for some time.

Michelle Madoff:

Would this be the appropriate place to put on the ballot metropolitan government?

The Chair:

The only thing you could put on is if the City of Pittsburgh wanted that question on.

Michelle Madoff:

I think the City of Pittsburgh wants that question on. I think the Mayor supported that; I've supported it. I mean, I think it's time we did away with these 130 municipalities, townships, and boroughs, when we've got 911 people on the phone calling to Sewickley or to McKeesport and saying, "We have a criminal at large, in chase, and he's coming into your district and we can't go in and get him". I think the public realizing that would go to metropolitan government for their own protection. I don't think they understand.

Mrs. Masloff:

How can Pittsburgh do that without out the surrounding --

Michelle Madoff:

I don't know; I'm asking the question whether it would be appropriate to put that on the ballot.

The Chair:

I have legislation drawn up, I've sent people to look at Indianapolis, Indiana about metropolitan government --

Michelle Madoff:

Send them to Toronto, Canada, which is my hometown. It works.

The Chair:

Indianapolis, Indiana is patterned after that but it would only be a question in the City of Pittsburgh if we would do that. You would have to get the Commissioners to put it on County-wide. I don't know how they do it in the county.

The only thing we can pass in this Council is what appears on the ballot for the City of Pittsburgh.

Michelle Madoff:

Well, obviously our putting on metropolitan government, even if the majority of the people approved it, would still not happen without the support of the county. It would be just an exercise in futility.

The Chair:

Right.

Mr. Grabowski:

On the subject of Governor Thornburg coming to the Council Chambers, perhaps it would be very appropriate if you contacted him or the City Clerk contacted him and asked him if, in addition to signing the Council by district bill here, he would also sign the bill that permits municipalities to pay interest on taxes held that are owed to the taxpayers.

Last week the Senate passed a final version of that bill that several months ago this Council spearheaded. This Council should take the credit for passing that legislation. Of course, Representative Itkin took charge of it in Harrisburg, but I think it would be appropriate if Governor Thornburg signed that bill here also since it was this Council that in fact initiated that action.

The Chair:

I kind of like that idea myself. Mike, as soon as this meeting is over, would you try to contact them?

Michelle Madoff:

While he's at it, let's make sure he signs the bill, the whistle blower bill. It's gone before the Senate and the House and it's ready for final action. We'd love to have the whistle blower bill signed at the same time so the people who talk about fraud and expose fraud in government are not subject to losing their jobs. It is now ready for his signature.

The Chair:

Okay now, that was for a point of information. Mr. Givens, you have a resolution.

Mr. Givens:

If I could have Scout Troop 614 come forward, I'd appreciate it, and the parents of David Kraska.

Mr. Givens presents

No. 1887 WHEREAS, David J. Kraska, a sixteen year-old junior at Carrick High School and resident of Overbrook, has been selected as an Eagle Scout from Boy Scout Troop 614 where he has been a member since 1981; and

WHEREAS, Eagle Scout represents the sixth and highest level of achievement in skill, community service, and scouting leadership; and

WHEREAS, after passing exacting tests, accumulating numerous merit badges, and completing a battery of personal interviews, David J. Kraska demonstrated the Scout spirit through adherence to the Scout Oath and Law; and

WHEREAS, David J. Kraska entered the Boy Scout Court of Honor in a ceremony on Sunday evening, November 23, 1986 in St. Norbert Auditorium, as only one out of a million boys who rise to the rank of Eagle Scout; and

WHEREAS, David's scouting excellence, as well as his participation on his school's track and cross country teams, has made his parents, David and Margaret Kraska, proud of his achievements, character, and service.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend David J. Kraska on the occasion of his elevation to the level of Eagle Scout for his outstanding achievements in the areas of skill, service, and leadership.

Mr. Givens moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Givens:

I would like to ask the Scout Master from Troop 614, Bill Burt to come forward and say a few words and I'd like then, his father to come after him.

May I say that Bill is a police officer out at the Training Academy of the City of Pittsburgh. So, if he looks a little out of uniform here, you know where he's coming from.

Mr. Burt:

Thank you. It was a real honor for you to have Dave down here for this resolution. He's worked hard for it and, like Mr. Givens said, one out of a million boys receive Eagle Scout.

Allegheny Trails has been good to our troop and has been good to scouting in general. If there's any way that the City can help scouting, or scouting can help the City, we feel that we can work in a partnership.

The youth is something that we look forward to; they are going to be our future leaders. We help to mold them and we hop that we're doing a good job. Thank you.

Mr. Givens:

I've been informed by one of the Chief Clerk's assistants that we only have two people come up to the microphone but I didn't know that until the rule was going to come in.

If I could have David come up, the father of David Kraska.

Mr. Kraska:

When he came home from first grade with a thing from the Boy Scouts to be a Cub Scout and all these boys here, he's only one of them, and Tom here was the first one of our Eagle Scouts and we have a potential of nine more. These boys work hard and I think the City of Pittsburgh should be proud of the Boy Scouts because its part of a young man growing up.

Mr. Givens:

And now the newest Eagle Scout in Allegheny County.

David Kraska:

I just want to come up here and thank the Assistant Scout Masters of our troop because they do a big part in helping us out. I want to say thank you to Mr. Dwayne Hires, Mr. Ed Moore, Mr. Paul Dank, and our District Committee Chairman, Mr. Tom Hipcus.

Mr. Givens:

Thank you, David, and at this time I'd like to present to you the resolution that this Council, as so read by myself and adopted by all the Councilmembers. Thank you very much.

The Chair:

Thank you.

Michelle Madoff:

Mr. President and members of Council, we have, as everyone knows, a very serious situation pending in the City which is the position of the paramedics who have been picketing the building and

are planning to do so when we light the Christmas tree tomorrow in full force, and who have taken the position that they've operated for a year without a contract and they're asking for parity. I presume that members of Council are aware that the Mayor has offered arbitration in the best form possible. They've extended themselves beyond arbitration as they have in other instances.

But the fact still remains, the paramedics have operated for a year without a contract and they're being asked to wait one more year before they get parity. They will get the right to negotiate but not the money for another year.

They did something that I disapprove of that the Administration is very distressed about. I understand it needs to be clarified and perhaps the Chairman of our Safety Committee, Mr. Wagner, could verify this as to its validity and perhaps the President of Council would like to check on it. It appears that the paramedics have supposedly contacted paramedic services outside of our City and said, "Please honor the picket line." Normally, that would be a normal kind of procedure, but when we're talking about the lives of our children, the well being of our residents, it is one thing if the paramedics don't want to work but it's quite another thing to say, "We don't want anybody else to come in."

I'm going to ask them and their leadership and I'm going to ask the President of this Council to please speak to them, and certainly Mr. Wagner, to change that particular action and to negate that action by rescinding their request to suburban paramedic services. I think that does not speak well for what I believe is one of the finest paramedic services in this country.

On the other hand, we are confronted with a problem of, are we going to raise the budget in order to pay the paramedics. Personally, I'm of the opinion that it is not necessary. I think we can give them an increase and we can reach parity in a contract without raising budget dollars but virtue of the fact that one has only to look at the budget in the eight years I've been here. Five percent of that budget, and perhaps you could help me, Mr. Woods, is something like \$260 million this year.

The Chair:

\$280 million.

Michelle Madoff:

Five percent of that budget is never ever filled. Five percent of that budget is always left in a surplus. Always. Because even if we wanted to stay up day and night and have no weekends off, jobs cannot be filled simply by the method and the opportunities that must be given to all. So, if you take five percent out of a \$280 million budget, we're talking about I believe \$900,000. My math may not be perfect, I'll do that when I leave here, but I think I'm close to the figure. Ten percent of \$280 million would be \$280,000, cut in half would be --

The Chair:

\$228 million.

Michelle Madoff:

I'm sorry. Ten percent of \$280 million is \$28 million and cut that in half -- we have enough money with five percent to pay the paramedics.

Furthermore, I will be presenting to this Council and to the public the stats on the Zoo, the Aviary, and the

Conservatory. As of this moment, to the best of my knowledge, based on information that has been given to me in a garbled form, i.e. when I asked Louise Brown of Parks and Recreation what the debt service was on the Zoo, Aviary and Conservatory, for '84, '85, '86 and '87 to date, what I learned was that the \$600,000, and I hope everybody is listening, folks, the \$600,000 better on the Zoo was not for debt service but was money coming out of tax dollars, the operating budget. Add to that the money that comes out of the debt service which means the money we borrow in bonds to do capital improvement at the Zoo, the Aviary and the Conservatory, and the Zoo alone, the numbers that I have at the moment at hand are something like \$600,000. So we're over a million dollars.

Now you ask the public whether they would rather have a zoo for their children to go to — and my daughter loved the zoo and I took her there all the time and I think the zoo is wonderful — would they rather have the zoo, would they rather have a Three Rivers Festival or would they rather have paramedics. I think the answer is consistently that the public would choose paramedics. Further, I will go on record; a) we do not need to raise taxes because I'll tell you another source of revenue that we've overlooked, but, b) if we had to raise taxes and that money were to be funneled, an increase in taxes, a small increase in taxes, to the Police, Fire and Paramedics, I would support it. I'm running for election in May and I'm saying what is ethically and morally correct. You cannot leave our public without paramedic service and you cannot threaten them because while they did something that I think is incorrigible and wrong and immoral by asking suburban paramedic services not to come in the City in the same way that my information is, that if they strike, the

paramedic service will be done away with and they will be combined according to the Administration with the Fire Department as they once were.

If that happens, we will have a public hearing, no doubt, and I will have Dr. Peter Safar who is instrumental in seeing that the paramedics became a separate entity away from the Fire Department and became trained in one of the finest services in this country, come and testify that we maintain the paramedics in their present form.

The bottom line is that we have not discussed this amongst ourselves because of the procedural operations of our Council meetings. On Wednesday we must adhere only to the items before us and on Monday we vote final vote. It's only at a time like this that we every get a chance to talk about issues and the public must be wondering what the devil is the matter with their City Council, that the paramedics are out there marching, people are honking their horns in support of the paramedics, and we don't even discuss it.

Now, there's going to be a hearing tomorrow to discuss some aspect of the paramedic situation and I do want to make a motion but I do want to also follow that by telling you another source of revenue and let me do that first. I was out the other evening and a gentleman that I've known for a hundred years said, "I'm buying everybody in the house a drink," and I said, "I don't drink but I'll take a glass of orange juice." I said, "What's the big occasion; is it your 50th birthday?" He said, "No, I just go an award of a building I'm going to build." I said, "Oh, where is that?" The Waterworks. Two new buildings going on line; one is a hotel and I don't know what the other one is. But that revenue I would put money on has gotten factored in to revenue.

I would respectfully request that the President of this Council, and we're doing it in our office and any help I can get, request from the permit division of the County or the City, the building permit division, how many new building permits have been issued for commercial enterprises which will generate revenue to our City. I believe there is enough money based on the fact that we cannot fill all the jobs in the \$280 million budget and that there are other sources of revenue that have not been factored in, that we can immediately do the honorable and correct thing and encourage our Administration to sit down and work out a parity schedule over the next three years to bring our paramedics into full dollar parity with the Fire and Police.

I would also ask that tomorrow's meeting on the paramedics be cablevised. I make that in the form of a motion.

The Chair:

It's already done.

Michelle Madoff:

It's going to be cablevised?

The Chair:

Mr. Wagner made that motion two weeks ago.

Michelle Madoff:

I'm sorry; I apologize. Thank you, Mr. Wagner.

Mr. Wagner:

Mr. President, if I could follow up on that, and I'm glad my colleague, Councilwoman Madoff, mentioned, what she just mentioned, and it's important for

the public to know that City Council is not involved in the negotiations of union contracts with the Administration. We cannot be involved in those negotiations. However, there have been negotiations going on for an extended period of time with the paramedics and also with the refuse people.

It appears as if the one is literally at a critical stage and when I say critical stage, we all know that they have been picketing in front of the building, we know that they have been handing out brochures with some very accurate information in it. We know that there's a public hearing scheduled for tomorrow and we know that there has been training of City employees in the event there is a strike, to drive the ambulances and participate in the care of the patients in some minor way. Where there's smoke there's fire, and there's a lot of smoke. I genuinely feel that if something is not done in the very near future, we will have a strike. The outcome of a strike means that there will not be people receiving the type of paramedic emergency care in this City that we know they are capable of receiving. Consequently, we could literally have people die that do not need to die, people who will not receive the type of emergency care that they can receive with our paramedics working.

They have requested that outside ambulances do not subcontract in the City. However, if they get a call for a heart attack, meaning these outside ambulances, they don't have any problem with them individually responding to an emergency of that type. They do not want the City contracting with an outside ambulance. That is, in a sense, I think, a justifiable position that they have. They feel that is their domain and they would like to properly administer the care that they're trained to administer. The problem is they feel

they're not receiving a just pay, a just compensation. And I think the point that has to be mentioned, and it will be brought out tomorrow, I'm sure, at the public hearing, is that the Administration came to this Council back two years ago for the creation of a new department called the Public Safety Department. And the major reason behind the creation was better cooperation between the various departments that were individual departments at that time, Police, Fire and Paramedics, in particular.

They indicated many positive reasons why to do that. This Council, the majority of Council, approved the creation of it at the time. Some of us objected to it for various reasons and I don't think there's any need to discuss that. However, along with the creation of the new department and the inter-involvement of duties between the bureaus, I think, goes along with it a commitment. And if we're trying to say, the Administration is trying to say and Council has agreed with it, that there should be some parity of salaries by putting them all within one department and having them work together, well there then should be some parity not only of work duties but also of salary.

What the paramedics are asking for is that the parity that was created with the new Department of Public Safety two years ago, begin to happen in their paychecks. They have had no influence over the arbitration decisions for Police and Fire; the Administration has agreed with those decisions. Some of us have agreed with the amount that they have received in some of those decisions. I don't think that's the issue. The issue is that within Public Safety, the Police and the Firefighters are getting further and further apart in terms of parity in salary with the Paramedics. The paramedics, I think, have a valid point. They realize that they can't have parity immediately

but they want a game plan and they want the game plan to begin now. And however City Council can inject our opinion into that, I believe we should be cause it now has become not a matter of negotiations but in the very near future, a matter of whether or not our citizens are going to have proper public safety service. We all carry that responsibility even though we don't carry the responsibility of the negotiations.

So, I firmly believe that this Council should be sending a strong message to the Administration to do whatever must be done to prevent a strike. Whatever that is, I don't know; I'm not sitting in those negotiations. But I believe that some commitment has to be made immediately over the long haul to establish parity. We need some suggestions put forth to do that, not in 1988, not in 1989, beginning in 1987. If it's not done by the Administration, I think this Council has to make some type of firm commitment to inject whatever influence it can to make sure it happens.

Mr. O'Malley:

I agree with Michelle. I've met with Mark Schneider, the President of the paramedics, and I think the paramedics have made a fair request. There is a substantial difference between what they make and what the firefighters and the policemen make. Between the paramedics and the firemen, we're talking \$3000 difference. Between the paramedics and a police officer, we're talking \$5000 difference. I think the three jobs are comparable.

I asked Glenn Cannon to give me an analysis of what it would cost the City of Pittsburgh if we would bring the paramedics up to the same level as the firefighters and we're talking approximately \$650,000. I don't think

that's a lot of money and for the quality and professionalism I think it's an amount of money that this Council could find in the budget by making other reductions.

So, I would support a resolution urging the Mayor to find some type of common ground to work with the paramedics. I think the request is a fair request and I'd hate to see a strike.

Mr. Givens:

If we were all paying very close attention last budget session, we come up about somewhere around a \$5.6 million shortage, as far as I was concerned in regards to the various union agreements that had not even been settled. That 1986 budget was up and no hard labor agreement was made and then went into binding arbitration. In previous years, through the wisdom of the Mayor and this Council, we always appropriated additional dollars for contracts that were still under negotiation. Last year was the first year that the Mayor did not come forward with any appropriations. This Councilman came forward with an amendment to our budget we had last year and asked for that appropriation. It was voted down. I can't even recall now what the vote was on that. But now we can see the effects that two of the unions, police and fire, went out through binding arbitration which they didn't ask for but it came upon them, received a substantial increase.

EMS now is pending a possible strike out there. The Environmental Services people, God bless them, they've been working out there very hard to keep our City clean. And to give you an idea, as you talk about smoke, Jack, when there's smoke there's fire. When you overwork your people, there's also casualties to be performed. Example, Environmental Services, 1987, they're

asking for an appropriation of \$400,000. A half a million dollars more in just compensation alone because when you stretch out those routes and make them run down those particular alleyways etc., they're going to get injuries and we have a fairly elderly working force out there too to keep in mind.

The same thing with our EMS people. When you stretch them out, EMS, under this new proposed '87 budget is going to be shortchanged a few operating units within the eastern area, Oakland, Squirrel Hill and Shadyside, as well as the Northside. That will come before us to discuss. But when we shortchange ourselves, last year is when we did that, when we didn't appropriate additional money in the budget, now it becomes a tax increase. Last year, with an \$11 million some surplus that the Administration had come up with, and they came up with this in what way? When you look at the Police Department and we compare it to last year's budget, we didn't appropriate that \$5-6 million. Now our Police Department is going to come in at about 150 officers less. Our Fire Department is now coming in at 98 firemen less, as proposed by the new budget. EMS is coming in by a couple squads less. The Environmental Services cut 36 some workers out there. And we have to look at our municipal employees. All of our municipal employees which is the other half of the spectrum have been denied any pay raises also.

When you look out into the populace as a whole, those who are working are receiving pay increases. Yet, in our municipal branch of government, all the other people, Parks and Recreation, Public Works, our own staff, the Mayor's staff, the Controller's, no one is receiving and has received a pay raise last year nor will they receive it this year. I think that's an imbalance. You

talk about a conflict of interest and prejudice in one half of government being paid and getting a four percent pay raise and the ability to go out on strike, and the other half of government not receiving anything. So, this is the imparity, and it's this Council, as all of us have stated in here over the past years, that has the final buck on what it costs City government to operate. We have to be responsible when we don't appropriate the necessary money to take out union contractual negotiations and especially with all the municipal workers, that we at least give them the fair type of protection. If we don't, what are the consequences? We have people leaving City service and going into the corporate community. If we are not competitive with industry, we lose our top-notch ranking people. We're losing them from the Police Department right now, we're losing them from the Fire Department, and we'll probably lose them from EMS and most of the municipal workers also, other than Public Safety.

That is the reality. We sit here and we talk about computer people and we were losing computer people like crazy until this City government came up to speed in paying our people. If you don't pay, they walk. It's that simple.

Michelle Madoff:

Mr. President, tomorrow I'm sure this subject will go on in great depth. I'm wondering whether this Council can exert its influence by virtue of just not voting for the budget simply because we do not have the arbitration rights. This is in negotiations and basically out of Council's hands. All we can do is voice our opinion. We cannot force the Administration to do what I believe is morally and ethically correct which is to increase the salaries to parity of the paramedics.

That is one option that six members of this Council can exercise, and that is to say we will not vote for the budget unless the paramedics receive the beginning of parity over a period of time.

The thing that worries me perhaps even more than anything that has happened today -- Not worries me but actually annoys me and makes me quite angry, is that people who feel put upon sometimes do things that are not proper.

I have two letters that address how we should pay those people who may come in to act in the place of the paramedics and how they should be paid. That's a bunch of balderdash. When Pete Flaherty got up on the garbage trucks to collect the garbage himself, he got paid as a Mayor, not as a refuse collector. Anybody that comes in, whether it's a member of this Council who has some expertise in lifesaving expertise, they're going to get paid as a Councilmember; they're not going to get paid as a paramedic. If somebody is a secretary who is earning \$14,000 a year goes in and works as a paramedic, who has some expertise, they're going to get paid at their present rate of pay. But it's becoming a political football and that's what I think is horrible. When you see the Controller making statements, and I believe it was the Controller, that he would not be paying anybody other than -- it's either a request to the Controller or the Controller's statement, somebody might be able to help me on that --

Mr. DePasquale:

Ferlo, I believe.

Michelle Madoff:

But it was from the Controller's Office, I believe.

Mr. DePasquale:

He works there but he --

Michelle Madoff:

It's becoming political and I don't think that the level of professionalism that is shown by paramedics should become a political football, should be an issue of we'll show the Administration how strong we are, we won't pay the people who come in to do the job.

I am pleading with the responsible members of the paramedic union to please rescind or to clarify their position as to how, should they decide to go on strike, they would not obstruct anyone coming in to give life-saving services. I think that what they're doing is morally incorrect, if indeed they did it, and it needs to be clarified.

The Chair:

Let me correct you, please. They didn't ask that.

Michelle Madoff:

I read it in the paper and I think it needs to be clarified.

The Chair:

That was a misquote; it's not right. What they said is that they hope the City of Pittsburgh would not contract out to a private concern to come in and take their jobs. And if the City of Pittsburgh tried to contract out they would have to come through us, City Council, to even execute such a contract. But as far as any emergency, any medic unit from anywhere in the county or wherever, could come in here and do their job and the paramedics would probably help them.

Michelle Madoff:

Mr. Woods, let me clarify where my information came from without mentioning names. A very high-ranking member of the Caliguiri Administration screamed at me and said that if my child were lying hit in the road by a vehicle and that the paramedics would not allow somebody to come in from the outside, I would be very, very upset, and what they're doing is incorrect. Now, this person is working directly with the negotiations. Therefore, I assumed that that person knew what they were talking about. Therefore, I would like it clarified. I would like tomorrow to have the leadership of the paramedics clarify whether they would be obstructionists or permit anyone to come into the City that was called for help if somebody needed paramedic service. How do you know or I know or even the paramedics know when somebody has a very -- they may think they have an ulcer and it may turn out to be a heart attack. And I don't think that it would be the will of good men and women to be obstructionists, to have on their conscience, someone's death. All I would like them to do tomorrow is to clarify that position and I don't think that's wrong.

The Chair:

I just clarified it for you, but I will talk to Mr. Schneider and ask him to do that. I don't know what they'd do. It's not like you're crossing a mill gate where you have to go one place to go to work. They'd have to follow ambulances around all over the damn county.

Mrs. Masloff:

We all agree that the EMS is doing a terrific job and they're worth the money, but what's the Administration's side of this? Has anybody told us that? That's what I want to know. Are they

going to be here tomorrow?

The Chair:

They're invited but they're negotiating a contract. And that's the trouble.

Mr. Pollock:

I just have a question on something you said, Ben, because I don't know if it's accurate. If the Administration or a department head feels that there was an emergency for life safety, can't they enter into a contract without coming before us?

The Chair:

It would be a Wallace Act. They still have to come up and get five signatures.

Mr. Pollock:

Oh, you do have to get five signatures on a Wallace Act?

The Chair:

The only time that works would be on a weekend when we're not available. But as long as we're here and it's a working day, they still have to come and get their five signatures. If it's 5:30 Friday night, they could go out and say, "Here, do it" and then come and give it to us Monday and try to get it signed, but we wouldn't have to sign it.

Mr. DePasquale:

In most cases when people are on strike, I realize Emergency Medical is a life-saving organization and perhaps the state law or whatever, they're not even allowed to strike. So, perhaps maybe they can be replaced. I'm not saying that I would be for it or that it could happen,

but they're in a different category, I believe. Am I right?

The Chair:

No.

Mr. DePasquale:

In most cases when people are on strike, you don't hire other people to take their jobs.

The Chair:

If we really want to help the union, the EMS people, we should lobby all of our Legislators and our Senators in Harrisburg and ask them, and I'll get the number of the act, it was up last session

Mr. Givens:

Act 111.

The Chair:

Whatever. It was up last session, to pass that so that EMS would be under binding arbitration just like the Police and the Fire, prohibit them from striking, but they would go into binding arbitration. That's what the medics want and the Legislators, for whatever reason, did not pass that bill.

Mr. Wagner:

Mr. President, you're right and the problem was that various other unions lobbied and the bill was amended to include many other unions, not just the paramedics. Therefore, it ended up either being tabled or defeated, one or the other and consequently did not pertain just to the paramedics. So, if we could somehow initiate a bill that pertained only to them, but the problem is, we can't make sure that it will get

through the House and the Senate in that fashion.

The Chair:

I think that we know the other unions well enough, the Public Safety unions, and that's what the bill pertains to, the original bill. Just to include Public Safety personnel and exclude the other people that go out on strike.

Is there any other discussion?

Mr. DePasquale:

This certainly is not as important a matter but I've called for a post agenda this coming Wednesday. You're all familiar, obviously, with the set up and collection of trash on holidays where they don't collect it if your day falls that day, and they don't collect it until the following week. Election Day, parts of Squirrel Hill and part of Oakland have their trash collection on Tuesdays, myself included. Election Day, I didn't see anything in the newspapers, and I'm not saying it wasn't in there, I didn't hear anything on television, but I was aware that they were not going to have the trash collection. Flora Masciola who is the volunteer in that area and lives down the street from me, went door to door and told people not to put their stuff out because of the fact that Election Day was coming up and there would be no collection; however, there would be the following week, even though it was a holiday, it was Veterans' Day. They thought two weeks in a row was just too much.

Now, I don't know who gave the order or how it happened. I became aware of it when I got two citations. I got one for 228 Meyran Avenue and one for 230. I formerly had a duplex and I use the one house for my family now and it's no longer a duplex but the two

addresses are on the books. I personally have never had my garbage out before midnight and I certainly didn't have it out Election Day, but I got the citations for Election Day. I said, how could you possibly cite me and other people who didn't have any garbage out. The man I talked to signed my citation and said he was told to cite everybody in those areas. Everybody. I said, do you realize there are at least nine or ten people in this one immediate area here who have permission to leave their garbage in the yard? They're either sick or elderly and they go in to pick it up. So, obviously they didn't put it in the alley Election Day. They were also cited. In fact, everybody in that area was cited. I was bombarded over the weekend, as was Sophie and her part of Squirrel Hill.

So, I've called for that post agenda to find out just why someone gave an order like cite everybody. What was the purpose of it and why they would cite people who obviously never had a citation in their life. One man is 90 years old and was very put out. He said he has never been cited in his life. And I've never been cited. It was the first time in my life I've ever been cited for anything and all of a sudden, for doing right, and for warning people not to put it out, I get cited. I don't care about getting cited, that's something else. But the fact is that my neighbors got cited and people in Squirrel Hill, and that's wrong and it's unfair.

Mrs. Masloff:

I have 17 citations in my drawer now from Squirrel Hill and I plan to go down to the Housing Court and represent them myself personally.

The Chair:

I was going to suggest that perhaps we could have Chief Magistrate James

come to the post agenda and discuss it.

Mr. Pollock:

I have about 30 that people sent to me. You say cited, I think you should go on record, this is not like a \$2 parking ticket, this is a \$38 fine, \$38.50 plus costs. These people were getting it in Squirrel Hill and Oakland and I'm currently drafting legislation to prohibit citing on days of holidays or elections because people forget about it. Some holidays they collect, some holidays they don't collect. There's no rhyme or reason to it. So, I too, will go down with you. We'll take all 50 or 60 that we have and have amnesty for anyone that got citations.

It used to be, Jeep, and I don't know if you knew this or not, before they were permitted to cite you, they had to give you a written warning. So, obviously they didn't do that in this case; they waived their own rules. You have to receive a letter in the mail saying that you're not allowed to put your garbage out until the day before, at 7:00 at night.

Mr. DePasquale:

Mark, I don't know the procedure in Squirrel Hill but in our area of Oakland the procedure has always been that Flora Masciola who is the volunteer out there would cite people, would call them, and then they would send the citations out.

Can I pay the \$77.50 out of my campaign funds?

The Chair:

Yes.

Michelle Madoff:

Why should anything be different

than it always has been?

The Chair:

Alright, let's be serious.

Michelle Madoff:

Mr. President, some time ago this issue has come up repeatedly and Sophie and I have been working on it over the years very diligently. I, again, would like to stress that we should be picking up garbage on holidays because when you don't pick up on a holiday frequently it's two weeks and sometimes three weeks. And particularly in summer months, over July 4th or Labor Day weekend, you're building up a health hazard.

I would ask that whoever is responsible for that Committee - Whose Committee is that? Refuse. Mr. Givens?

Mr. Givens:

Yes.

Michelle Madoff:

Find some money in the budget and pick it up for double time or private contractors.

Mr. Givens:

Just appropriate my amendments when I put them in and you'll have the money set aside.

Michelle Madoff:

I'm very serious about that.

Mr. Givens:

I am too.

Mr. Chairman, as Chairman of that

particular committee, Environmental Services, I have received many phone calls in regards to what Jeep has just brought up. I think now that the citations have been put out to all the people, they have to react to them and the only way they can do that is through our magistrate court. I had suggested to the numerous people who have called my office that when the court date comes up to let us know and we will have to talk to the magistrate on this.

This is a very unique situation wherein the Armed Forced Day and the vote, days of pick up were both on Tuesday and they were back to back.

There was also something that we discussed at the time we went to curbside pickup, and this happens especially during the Christmas/New Year's pickup. If that date is a week day, then theorhetically you would have almost a three week pickup for some people. And that's in the middle of winter which is not as bad trouble as when you have it in the summertime, but sometimes these holidays do bunch together that way and my only solution is, and I thought it was understood, that when there's two holidays back to back, falling on a weekday, that at least one of those holidays, the second holiday, that we would have pickup. I say pickup made in certain areas of the City on that particular day, I do believe.

The Chair:

What happened was, they didn't pick up Election Day but the following week, Veterans' Day, they did pick up.

Mr. Wagner:

Mr. President, I just have one final request that a member of the Administration be present at the public hearing tomorrow.

The Chair:

They were invited.

Mr. Wagner:

Thank you.

And on the motion of **Mr. Givens**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Monday, December 1, 1986

No. 46

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, December 1, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Depasquale presented

No. 1889 Resolution providing for the issuance of a warrant in favor of Spinello Construction Company (Charles DiNardo, Vice President) in the amount

of \$2,015.50 in payment of Extra Work, being in addition to the original contract price of \$208,292.50 on Controller's Contract No. 27831, furnished for the benefit of the City in connection with the Repaving of Penn Avenue - Phase I, payable from Code Account PW 83-17.

Which was read and referred to the Committee on Finance.

Mr. Givens presented

No. 1890 Resolution further amending Resolution No. 95, effective February 17, 1986, as amended by Resolution No. 870, effective October 6, 1986, entitled: "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the rental and repair of equipment in connection with the City of Pittsburgh's Capital Construction Division, and providing for the payment of the cost thereof," by increasing the allocation by \$60,000.00 from \$180,000.00 to \$240,000.00, chargeable to and payable from Code Account PW 86-12, Capital Construction Division.

Which was read and referred to the Committee on General Services.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Grabowski presented

No. 1891 Resolution authorizing the submission of an Enterprise Zone Planning Application with the Commonwealth of Pennsylvania Department of Community Affairs for planning assistance and interim designation. Planning assistance will be provided in the form of grants that will not exceed \$50,000.00 for each designated area, or a total of \$100,000.00 for the two districts.

Also,

No. 1892 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any in and to the publicly owned properties in the 26th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lots: 45M-80, 45M-75, and 45M-70 in the Deed Registry Office of Allegheny County for the Fair Market Value plus all necessary and incidental expenses, under the Neighborhood Housing Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. These properties are being acquired for the third phase of a housing development in the Charles Street Valley known as Gibson Green. These properties are part of a housing site on which four single-family dwelling units will be constructed. The developer for this phase of the project is J.E.C. Builders, in cooperation with the Charles Street - Kirkbride Area Council.

Also,

No. 1893 Resolution authorizing the Urban Redevelopment Authority of

Pittsburgh to acquire the properties in the 26th Ward of the City of Pittsburgh owned by Willie Lee Brown & Lena Mae Brown, husband & wife, and/or their heirs successors or assigns and designated as Block and Lots: 45M-76, 45M-161, 45M-162, 45M-163 and 45M-164 in the Deed Registry Office of Allegheny County for the Fair Market Value plus all necessary and incidental expenses, under the Neighborhood Housing Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. These properties are being acquired for the third phase of a housing development in the Charles Street Valley known as Gibson Green. These properties are part of a housing site on which four single-family dwelling units will be constructed. The developer for this phase of the project is J.E.C. Builders, in cooperation with the Charles Street - Kirkbride Area Council.

Also,

No. 1894 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 26th Ward of the City of Pittsburgh owned by Benjamin Scott & Essie Scott, husband & wife, and designated as Block and Lot 45M-74 (2526 N. Charles Street) in the Deed Registry Office of Allegheny County for the Fair Market Value plus all necessary and incidental expenses, under the Neighborhood Housing Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. This property is being acquired for the third phase of a housing development in the Charles Street Valley known as Gibson Green. This property is part of a housing site on which four single-family dwelling units will be constructed. The developer for this phase of the project is J.E.C.

Builders, in cooperation with the Charles Street - Kirkbride Area Council.

Also,

No. 1895 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 26th Ward of the City of Pittsburgh owned by Ruth D. Artemus and/or her heirs, successors or assigns and designated as Block and Lot 45M-71 (2532 N. Charles Street) in the Deed Registry Office of Allegheny County for the Fair Market Value plus all necessary and incidental expenses, under the Neighborhood Housing Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. This property is being acquired for the third phase of a housing development in the Charles Street Valley known as Gibson Green. This property is part of a housing site on which four single-family dwelling units will be constructed. The developer for this phase of the project is J.E.C. Builders, in cooperation with the Charles Street - Kirkbride Area Council.

Also,

No. 1896 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 10th Ward of the City of Pittsburgh owned by Donald Wilson & Eva Wilson, husband & wife, and designated as Block and Lot 50H-215 (428 Wicklow Street) in the Deed Registry Office of Allegheny County for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. This property is being acquired by the URA for the purpose of assembling a housing site for

the construction of a single-family dwelling unit. The site is being marketed to potential purchasers by the Bloomfield-Garfield Corporation.

Also,

No. 1897 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Neighborhood Housing Services, Inc. for the sale of Block 23L Lot 236 (1204 Lorraine Street), 22nd Ward, for \$1,300.00 - Residential Land Reserve Fund. The property is being acquired following certification as blighted property by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The redeveloper plans to rehabilitate the existing residential structure. Neighborhood Housing Services, Inc. is a Pa. non-profit corporation. The officers are: Dorothy M. Richardson, President; Brack M. Barr, Jr., Vice-President and Steven P. Roberts, Executive Director.

Also,

No. 1898 Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various redevelopers for the sale of various properties in the City of Pittsburgh (URBAN HOMESTEADING REHABS).

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. O'Malley presented

No. 1899 Resolution providing for the issuance of a warrant to Emma Meskunas, c/o Samuel R. Sciallo, Esquire, 1706 Law & Finance Building, Pittsburgh, PA 15219, in the amount of

\$1,480.88 in full settlement of a claim for injuries sustained when Plaintiff's foot was caught in a loose board on the boardwalk parallel to Bauldauf Street in the City of Pittsburgh causing her to fall, payable from Code Account No. 46, Judgments.

Also,

No. 1900 Resolution authorizing the periodic issuance of warrants in favor of the Commonwealth of Pennsylvania to pay the City of Pittsburgh JTPA Program share of the statewide on-line computer system cost for the period July 1, 1986 through June 30, 1987, at a cost not to exceed \$35,299.00, chargeable to and payable from the JTPA-1 Trust Fund, federal funds.

Which were read and referred to the Committee on Finance.

Also,

No. 1901 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to publicly owned property in the 12th Ward, City of Pittsburgh, designated in the Deed Registry Office of Allegheny County, Block and Lot 125-D-29 (1021 Gerrit Street), for the sum of \$1.00 plus all necessary and incidental expenses.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 1902 Resolution transferring the sum of \$100,000.00 from Code Account 41, Refunds-Real Estate Tax, Department of Finance to Code Account 1461-1, Premium Pay, Bureau of Fire, Department of Public Safety. This

transfer is necessary to cover premium payroll for the remainder of 1986.

Which was read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Pollock seconded the motion.

Which motion prevailed.

Also,

No. 1903 Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Microfilm Permit Plans Trust Fund, for the deposit of fees paid by Bureau of Building Inspection permit applicants to cover costs associated with the microfilming of plans, and all expenses associated with microfilming of said plans.

Which was read and referred to the Committee on Public Safety.

The Chair presents

No. 1904 Communication from Thomas Flaherty, City Controller, submitting an estimate of the Probable Revenues the City of Pittsburgh may anticipate for the General Fund for the year 1987, the Estimated Revenues for the year 1986, the Revenues Received for the year 1986, and a comparison of the 1987 Estimated Revenues with the 1986 Revenues Received.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1905

Report of the Committee on Finance for November 26, 1986 transmitting sundry resolutions to Council.

Which were read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1811

A Resolution entitled, "Resolution providing for the issuance of warrants in the aggregate amount of \$7,000.00 in full settlement of a claim for personal injuries by Garrick Clark, a minor, and Anne Clark, his mother and natural guardian, and Anne Clark in her own right, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the

votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1812

A Resolution entitled, "Resolution transferring the sum of \$105,000.00 within Code Accounts of the Department of Law."

Which was read.

Also,

Bill No. 1813

A Resolution entitled, "Resolution providing for a Contract or Contracts or use of existing Contracts for the furnishing, delivery, and installation of a cardiopulmonary resuscitation (CPR) learning system for the City of Pittsburgh's Safety Program; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1814

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, for sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 1815

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties, acquired at tax sales in

accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 1856

A Resolution entitled, "Resolution authorizing the transfer of Seventy Three Thousand Five Hundred and Twenty Five Dollars and Fifty One Cents (\$73,525.51) from the 1983 Community Development Block Grant Program to the General Fund of the City of Pittsburgh for reimbursement of Salaries, Wages, and Fringe Benefits paid to employees in support of the City's 1985 Community Development Block Grant Program."

Which was read.

Also,

Bill No. 1857

A Resolution entitled, "Resolution providing for authorization and transfer of funds to the General Fund of the City of Pittsburgh for reimbursement of Salaries and Indirect Cost for the Community Development Block Grant Program."

Which was read.

Also,

Bill No. 1860

A Resolution entitled, "Resolution authorizing the transfer of the aggregate amount of Four Hundred Thousand (\$400,000.00) Dollars from the 1986 Community Development Block Grant Trust Fund, Code Account CDPR, Housing Authority Recreation Salaries, Project No. 4-10-10-0010-86-221-86-10 Index Code (430850) to the General Fund

of the City of Pittsburgh for reimbursement of salaries and wages paid to employees in support of the City's Community Development Block Grant Program."

Which was read.

Also,

Bill No. 1866

A Resolution entitled, "Resolution transferring \$10,000.00 from Code Account No. 1022 (102202) Salaries, Regular Employees to Code Account No. 1022-1 (102210), Premium Pay."

Which was read.

Also,

Bill No. 1870

A Resolution entitled, "Resolution authorizing the transfer of Two Hundred Thirty-Seven Thousand (\$237,000.00) Dollars from the JTPA-1 Trust Fund, Index Code 260307, to the 1986 General Fund of the City of Pittsburgh for reimbursement of Indirect Costs of the Job Training Partnership Act Program for Fiscal Years 1984, 1985 and 1986."

Which was read.

Also,

Bill No. 1878

A Resolution entitled, "Resolution transferring the sum of Seventy-Five Thousand Dollars (\$75,000.00) from Code Account 1461, Index Code (146100), Fire Salaries and Wages, Department of Public Safety to Code Account 1461-2, Index Code (146126) Fire In-Grade Pay, Bureau of Fire, Department of Public Safety. This transfer is necessary to cover In-Grade payroll for the remainder

of 1986."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 1906

Report of the Committee on Public Works for November 26, 1986 transmitting two resolutions to Council.

Which were read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1708

A Resolution entitled, "Resolution granting unto Ron and Denise Daugherty, 108 Reese Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an off-street parking

area on a portion of the unimproved Reese Street in the 19th Ward of the City of Pittsburgh."

Which was read.

Michelle Madoff:

I would respectfully request that a public hearing be established, in a display ad, for people in communities who are impacted and do not have the right to park; i.e. people living on Grandview Avenue are not able to park in front of their own homes because of the many restaurants and businesses up there. There are many houses across from apartment houses, people going to various --

The Chair:

Wait a minute, let me just cut you off for one second.

Michelle Madoff:

I'm on the bill.

The Chair:

I want you to discuss Bill 1708.

Michelle Madoff:

Mr. Chairman, correct me if I'm wrong, but doesn't 1708 pertain to, it was held once, to a person getting the right to park their car --

The Chair:

It pertains to a particular individual --

Michelle Madoff:

I'll raise my issue at the end of the meeting if you wish. I yield. Thank you.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 1835

A Resolution entitled, "Resolution amending Resolution No. 18, approved January 21, 1983, entitled: 'Authorizing and directing the Bureau of Cable Communications, Department of Public Works to broadcast all of Council's Regular Legislative Sessions, Standing Committee Meetings,' by providing for the broadcast of all public hearings, except Zoning hearings." —
(SPONSORED BY MR. WAGNER)

Which was read.

Michelle Madoff:

I feel very strongly that this bill should be supported. I have introduced the same bill year after year, since we've been cablevised. As a matter of fact, the initial bill to cablevis Council meetings was my bill. But let's tell the

truth, let's tell it the way it is; the action doesn't happen when the City Clerk reads "Bill No. 1835, recommending, etc., transfer of code account, etc." We turn off the public, we bore them to death, and that's almost the game plan.

Where it really happens and where it's important is when we have a hearing such as the Herr's Island hearing or when we have a hearing on Paramedics or when we have a hearing when some member of this Council has been unable to get information such as the information I have worked for 7:30 this morning, and the reason I apologize for being a little late and getting into session today, to put a letter together that I'm going to read into the record later. Important information, that the public is entitled to know what is really going on. And if the public is listening to me at this point, please, all you're hearing is the reading of a bill and the voting on the bill, and you don't know what constituted or thought necessarily went into that bill unless you heard debate, unless you heard why a bill is held for a couple of weeks, what the problems are, the what the differences opinions are, and I think this Council is a much better Council than it has ever been before because we agree to disagree without being disagreeable and the President is treating me very courteously and not fining me for which I thank him today.

But it is important that the public really understands what is happening and the action does not take place on final vote, the action does not take place when we go through the bills at the Wednesday meeting which is the financial meeting. The action takes place in two places only and that is at post agendas and the action takes place when we have a public hearing. Ninety percent of the time that we have a

public hearing, when we're having a hearing on problems in a community, that community will be taken care of because the wheel that squeaks the loudest gets greased. And nobody else or other communities that have been suffering the same indignities do not know that they too can come here and be heard. And 90 percent of our hearings would not be necessary if we were aware that the community is up in arms, wants the services they're entitled to for which they pay their taxes.

Thanks to people like Sophie Masloff and Mr. DePasquale and I'm not sure who else, maybe Mr. Pollock, the other day the issue of citations on garbage came out. The Mayor has, I believe, done the right thing by putting that matter to rest by saying that it was a confusing day.

I think the public has the right to know if that were discussed at a post agenda meeting as to how we're going to pick up garbage on other days, other mechanisms, other ways. There's a letter to the editor and a recommendation today that should be discussed. Perhaps we could have a post agenda on this.

Those kinds of hearings, unless this Council votes to hold the same, meaning the post agenda, is not open to the public's purview. You really don't have real access to government. All you get is what the media chooses to publish, has room to publish, and time to present. If you want to really watch this Council gavel to gavel, then we must include post agendas and we must include public hearings. Now that presents some problems in time when we have people who are going to go on repeating themselves 20 minutes, 20 minutes, 20 minutes, 20 minutes. We can do what my good friend and colleague, Mr. Wagner, has suggested over and over again, and

that is set a format for conducting a post agenda and we would all adhere to that. It should be a reasonable one. Whoever is asking for the post agenda should chair that post agenda. No one should be allowed to talk for more than say 10 minutes on the subject at any time without relinquishing the floor; that would be Robert's Rules. Or we could use the format that is used in the Congress and the Senate when you have 30 minutes for discussion and a colleague may say, "May I have two minutes?" and you yield two minutes to the colleague and then it goes back to the original presenter of the legislation, someone else is allowed five minutes of that time until the time allotted is used up.

We are bright enough in this Council to structure post agendas and public hearings and I think even though I have disagreements with the Chairman, I believe the public hearing format should provide for interaction prior to the testimony as opposed to after the testimony when everybody has gone home. Nevertheless, it's 100 percent better than it used to be and I think under the leadership of this President, if he keeps an open mind, Mr. Woods could, if he wanted to, structure post agendas in such a way that they were productive, they were constrained, they got to the issue, we went by Robert's Rules, kept the dialogue to 10 minutes per person before you relinquish the floor, you come back, and the public would really then know some idea of what goes on at least in front of the scenes, because a lot more goes on behind the scenes. And I urge my colleagues not to keep information from the public and to support this bill because you're exempting the zoning things which — unless, of course, on important zoning we can vote five to have it cablevised anyway.

But when we have a hearing where

two people are here in favor and nobody objecting, I don't show up. I don't show up because I'm out trying to find out about some very important issue that's going on, a water leak or something else. I can't be everywhere and I can't be Xeroxed. There's only so much time all of us have to address all the business of this City. But I think it would be very productive to support Mr. Wagner on this bill and I urge my colleagues not to hide information from the public, because if you vote against it you're saying we don't want a) to take the time to be here; b) we don't care enough about you knowing; and c) we're not bright enough to structure it so it can be done in a way that we will not abuse the time allotted to us.

Mrs. Masloff:

Mr. President, I want to reply to that. Any hearing that we have we can vote that it be televised. We're not hiding anything from anybody. All we're doing by televising every meeting is opening the doors to a lot of people who want a public forum. That's all we're doing. And we'll be sitting here day after day after day with all kinds of crackpots, so I think it's wrong. Any kind of a meeting that we want to televise, we can. We can vote to televise it if we consider it important enough. So, I'm not going to vote for it because I think it's just taking up a lot of unnecessary time.

Mr. Wagner:

Mr. President and members of Council, first of all, I'd like to bring my comments forward for the record from last Wednesday's Committee Meeting on Bill No. 1835.

I'd just like to briefly summarize the points that I made last Wednesday, of which that number one, that the public pays for the Bureau of Cable

Communication. True, Government did establish that bureau; however, five percent of the gross or proceeds paid with the cable bill goes towards the operation of the Bureau of Cable Communication. As a matter of fact, there is a recent increase in salary; excuse me, a recent increase in the cable cost to the public of which this Council has nothing to do with anymore. That ability was taken away from us well over a year ago, which means that I believe that slightly more dollars would be going to the Bureau of Cable Communication and the potential exists for the public to be getting more in terms of service with the televising of public hearings.

As you know, this Council Chamber only holds 200 people based on the sign that is up there on the wall; we have 85,000 to cable communication. Those 85,000 could tune into a public hearing if this Council did not choose to televise that particular public hearing.

It was mentioned at the Council meeting the other day that we have not turned down the televising of public hearings. We did a little research in the record and we found out in fact we did turn down several public hearings. Ironically, one was on the televising of public hearings back about a year ago. We had a public hearing where several members of the public came in front of Council and wanted to be heard and they wanted that to be televised and we chose not to televise it.

A couple other points, as indicated, this does not include all hearings. It excludes zoning hearings which is a significant portion of our hearings. Therefore, we would not overburden the Bureau of Cable Communication and the public hearings in general pertain more to city-wide issues. There would not be any additional cost involved, as Brother Richard indicated the other day, and as a

matter of fact, if this were done properly, it could help in terms of scheduling public hearings because they could really only televise public hearings three Tuesdays a month and they would know in advance far better with this legislative change than they have in the past when a public hearing is to be televised.

Most importantly, it would put all public hearings on an equal status to be televised or not to be televised, and I think that's very important that government provide an equal status to all types of situations, particularly when it comes to public involvement such as a public hearing.

Finally and lastly, I'd just like to state that we could try this and if we found it in any way to be burdensome, in any way, to create additional public hearings, Council could always amend the resolution again. And the fact that we've never tried it and the Bureau has been in existence for approximately five years, I think in itself, is justifiable reason to give it an opportunity.

So, for that reason I support Bill No. 1835 and I'm hopeful that the majority of you will also.

Mr. Pollock:

I would like my comments brought forth as well. I don't see any need to rehash everything that I said previously and I think the point has been belabored. I would just ask that before my colleagues vote, that they consider the significant number of senior citizens, invalids, people with young children at home, and other people who are unable to come down to attend these hearings who are effectively being denied the right to see them.

Michelle Madoff:

Mr. Chairman, the last point is that I'd like to respond to my colleague, Sophie Masloff. She does an excellent job, and has done an excellent job in all the years of getting cable to where it is. She and I have taken exception to things that have been wrong with the cable, such as when we had, what she just referred to as the crackpot types going on and abusing some of the cable access lines. But I would rather have that than infringing on the First Amendment.

Secondly, there is an advisory committee that can deal with the element who has access to another cable line that is not the Council line. We are not saying that every public hearing is held by crackpots. I don't think Councilwoman Masloff even meant to imply that. I would say that 99.99999 percent are public hearings that every member of this Council is vitally interested in.

Furthermore, a post agenda, even when I feel that there is a colleague who rambles on and he feels that I'm disruptive and we personally may have our disagreements, I still respect his right to hold a post agenda and his right to have his concerns viewed. But I do think there has to be some constraint on time. I don't think you can have two hours of the public's dollars being given for someone who wants a platform or a public soapbox. But if good people of good will, and I repeat that, if we elected officials acting as ambassadors of good will, working with the President of Council, the Finance Chairman, and particularly with the Committee that introduces bills on cable, and Sophie Masloff who handles the Cable Committee, sits down and works out a formula where, say, we allow an hour or an hour and a half maximum, for a post agenda hearing. Most of my post agendas are 10 or 20 minutes. I think

occasionally we've had one that's been an hour but that was because everyone stayed and was vitally concerned. And I believe we voted, in some cases, to cablewise those.

If there's a formula set where an issue is limited in time to be discussed, for the first time the public who cannot get here, those hundreds of people who have cable at home who cannot come here, the elderly or those who have jobs, they can watch it tonight and see who the cast of characters are, can see who the department heads are, can see who shilly-shallys on giving answers, can see who is willing to deal with the issues, who represents the Administration, who represents departments heads and works for their tax dollars. And we're keeping this information from them and I don't think that is a government that exemplifies what this country stands for.

So, the excuse that every crackpot would go on or the excuse that it is too costly is a non-excuse. We can curtail and come up with a formula that would be one that we could all live with.

Mr. DePasquale:

Mr. President, if we vote this resolution down, Council still has the right, or a Councilperson, to, in the form of a motion, ask for a special hearing to be televised?

The Chair:

Yes.

Michelle Madoff:

Not post agendas.

The Chair:

No post agendas.

Mr. Givens:

I don't want to go into it but I think last Wednesday this Council, those that were present, had discussed it. They brought the director, the Bureau Chief, Brother Richard Emenecker, before the Council and he indicated to us, and I had many long conversations with the Bureau Chief indicating that if Council does this, that they're going to have to cut in to many worthwhile programming that they have on Channel 17.

Secondly, we do have radio media covering our Council sessions and hearings and budget deliberations, and I appreciate that. We also have the written media here, both major newspapers and many other newspapers that pop in for special interest type of articles that they want to write in regards to what the Council is discussing.

So, it's not like we're in a vacuum, and the same Channel 17, Mr. President, publicizes all of our public hearings, etc., for those people who want to come down. Plus, we also have a Municipal Record and complete dialogue of every meeting we have, every word that has ever been spoken in this Council. So, if anyone is interested, they have a multitude of media to go to and based on the Director's indication to us that if we do this, it's going to hurt other programming in the City, and I think until that is satisfied — A lot of that programming is new; once it gets on and they can it and they can pull it off the shelf for later participants and people who work for the City, etc., and I think the fact that we've received a national award because we have a balanced presentation of a governmental channel. And what you're saying here, if we do this thing, we're going to have an out-of-sync correlation to the meetings.

As the past president, Jeep DePasquale, indicated, we in this Council have that opportunity when we feel it necessary to have it publicly broadcast, or telecast is the word that the Director wants us to use, telecast. And we do that. And I don't know of anyone that came and appealed to this Councilman or any other Councilman other than the exception of maybe one or two where they have been denied an opportunity to view it.

Thank you, Mr. President.

Michelle Madoff:

I am very, very distressed. You know, I've really been trying to keep a little lower profile and trying not to get angry and to show my anger, and I am very angry and I am very distressed.

It is very evident that this Council is going to vote against Mr. Wagner's resolution, one that I had proposed, one that the public has asked for a public hearing which was not even covered. Many times the media is at a hot story and doesn't cover some of the things happening at post agendas that turn out to be vitally important in our votes.

It is very obvious that this Council, by virtue of voting against this bill, is saying that we do not want to give the public access and covering that by saying, "Well, we can always vote if we want to put something on by a vote of majority." Well, the fact remains that we don't get those votes. The same way we're going to be defeated today when there's something important that a member of Council feels the public should be aware of, that will be voted down and I think that's a very sad commentary on democracy and on this City and I am very disappointed.

Mr. Givens:

I'd like my remarks and that of Brother Richard to be brought forward please.

Mr. O'Malley:

I'd like my remarks brought forward, please.

(MR. GIVENS', MR. WAGNER'S, MR. POLLOCK'S, & MR. O'MALLEY'S REMARKS ON BILL NO. 1835 FROM WEDNESDAY, NOVEMBER 26, 1986)

Mr. Givens:

Discussion. As the Chairman of this particular Committee, if I might, Jack, talking to Brother Richard, if we are to broadcast, televise all the public hearings that we have coming before this Council, then he — is Brother Richard here? Come up to the table, please. We are just not going to have enough of staff. We have a very limited staff as all of you know, and to do the things that we would like to do and especially Channel 17, some of that include a little bit more Councilmatic participation. But if we want any Councilmatic participation in the coming years, if we do this right here, we are not going to tax the working force on our Cable Bureau to the point where the Director will not accomplish a lot of things and goals that he has set forth for this particular Bureau. And with that, Brother Richard, maybe you could elaborate a little bit on what affect this will have if we telecast all public hearings in the City of Pittsburgh.

Mr. Pollock:

Point of order. I think that's called leading the witness, isn't it?

The Chair:

But you're allowed to do that here.

Brother Emenecker:

I didn't realize I was a witness. The current situation is that if City Council votes to televise a public hearing, then we televise it. So, we are on a constant standby basis. About a week or so ago, you voted on a Monday to televise a public hearing held the next day on a Tuesday, so we had less than 24-hour notice. On Friday of last week at 9:30 in the morning, I received a phone call from the City Clerk's Office saying that Council has scheduled two additional speakers that afternoon, Friday afternoon at 2:00 p.m. And we were here and we televised it.

Which ever way you go on this, one of the situations I would urge you to address and to resolve would be if you vote to televise all the public hearings, that you schedule them on a more regular basis, and I would recommend the first, third and fourth Tuesday of the month at 10:00 a.m. My reason for that is that on Monday, Tuesday and Wednesday, I know that our primary duty and responsibility is to televise whatever Council has scheduled. The cameras that we use here we also use upstairs in the studio, so it makes it easier to schedule things in the studio or outside on Wednesday afternoon, Thursday and Friday. If that is not possible, if you could give us as much notice as possible, if you could give us as much notice as possible as to when a public hearing is going to be televised, if you still want to do them on an individual basis.

This year, we did six public hearings. The shortest one was an hour and a half. And the longest one was about 4 to 4-1/2 hours. Six is not too many. I don't have any difficulty with that. I don't have an overall difficulty with responding to this resolution if you said that you were all in favor of it.

Right now that standby basis is a little bit difficult to deal with because we need to schedule our resources efficiently and effectively and if we schedule outside productions and we schedule third and fourth parties to come or are shooting on location. We have to be ready to cancel all that and respond to your needs. We still deal with Council as a body. This resolution deals with Council as a body. As far as what Mr. Givens is referring to, individual Councilmembers in the future, we haven't yet addressed that issue, and Council has not yet addressed that issue. We can respond to this one either way, but the resources are limited. If we don't do a public hearing, we definitely are going to be doing something else.

Mr. Wagner:

Brother Richard, could you explain to Council and to the public where the Bureau of Cable Communication gets its funding and what percent that funding is from the overall picture of things?

Brother Emenecker:

The funding for the Bureau, all of the funds to operate the Bureau, the Administrative section, the regulation section and the utilization section come from the franchise fee paid by the cable incumbent to the City. And that fee is based on five percent of the companies gross revenues. Out of that fee, we pay for the staffing, capital, operating expenses, benefits, indirect costs as we voted to reimburse the General Fund. By City ordinance, no general fund revenues can be used to offset the cost of Cable Bureau operations.

Mr. Wagner:

So, in essence, what you are saying just to clarify is that the five percent

funding comes from those that subscribe to PTCI and those that subscribe to PTCI are in essence the residents and the public in the City.

Brother Emenecker:

Yes. There are 85,000 subscribers to the system. Since Channel 17 is on the lowest level of service, that means all cable subscribers get that channel.

Mr. Wagner:

That's 85,000 users. At the present time as it relates to Council, am I accurate in saying the only time that the public really participates in a Council meeting of any type is when Council chooses to individually vote to televise a public hearing.

Brother Emenecker:

It seems to me that's a question better asked of Council because you are asking me about the rules of Council.

Mr. Wagner:

Well, I mean in terms of what Council has requested from the Bureau of Communication in the past, is there any other opportunity for the Bureau of Communication to participate in televising matters pertaining to City Council and City Government, other than a public hearing?

Brother Emenecker:

Other than your Legislative and Standing Committee Meetings of Monday and Wednesday, no.

Mr. Wagner:

Okay. I bring up that point for a reason. Does the public ever have the

opportunity in communication with Council to participate in any type of telecast other than a public hearing?

MR. WOODS COMMENTS

Mr. Wagner:

Let me clarify. In terms of having dialogue with all members of Council and not only them as an individual having dialogue, but that dialogue being shared with all people that have cable TV in their homes and are paying for it and are actually paying for a Council hearing, whether it be a public hearing or whether it be this Council hearing today. The people actually watching this today right now are paying it, and it's very important and very clear that they understand that and the public understands that. The point I am trying to get at is Council publicly only participates in any dialogue with the public at public hearings. We don't have post agendas of which they are public but they are in this Chamber. The public can come in here, but they can't tune into a post agenda. Zoning hearings, unless we choose to televise them or a public hearing unless we choose to televise them, individually, there are a lot of requests of televising specific individual public hearings, and it's up to this Council now to vote on which hearings are televised and which hearings are not televised. I don't think we have a fair procedure that applies objectively to all public hearings; meaning that if one group requests a public hearing and they want it to be televised, it may or may not, depending on the wish of Council. If another group requests it, a different procedure may apply, and I think it's very important if they are paying for the televising in the Bureau of Cable Communication that there is a fair procedure that is applied equally across this board. And this Council does not subjectively determine which hearings

are televised and which hearings are not televised, and that is the whole purpose behind this resolution. Because in essence, they are paying for public communication through the Bureau of Cable Communication.

So, in essence, the intent of this Resolution is to take away the subjectivity to Council when it applies to public hearings. I have put several motions in the past forth to televise public hearings, most of which have passed, some of which have not passed. Other Council members have done the same. I have no good explanation to the public when they request from me to televise a public hearing and it is denied by this Council. And the whole point behind the amendment in this resolution and my intent is to have fairness apply to all public hearings. And I think if the public is paying for this service, then they should be able to tune into a public hearing. And that is the only time that the public has the opportunity to have dialogue with Council as a body and I believe that the public should be able to view that dialogue.

Mr. Givens:

Yes. I have two examples. This week we have two public hearings and the people come to my office and they wanted to have a public hearing so I advised them as all of us do to get 25 signatures for a public hearing. And it could be considered as Pittsburgh in scope, but it was really not. One was on the skateboard, for example. That got plenty of coverage in the local newspapers, etc., and it was very local because it changed — the thing of that particular hearing was that they wanted to modify and bring up to speed what was happening to themselves in the public and the police and building inspection and everybody was befuddled. What it really required was a change of our

ordinance, a modification to bring in skateboards and how they would be able to work in with traffic and pedestrians on our right-of-ways. But that didn't have to be telecast because they were asking for a change and an update in the ordinance which was minor in nature.

Secondly, very local, was the Beer World situation out in East Liberty which is very local in nature and they just wanted Council to be aware of it and lend our support and a few other things. And yes, that could apply to the whole City, but in this particular case, I don't believe it did. In fact, there was no action that this Council could take. But they wanted to get our ear as a group in a formal setting. It did not have to be telecast.

Brother, you indicated how many public hearings that we have had so far?

Brother Emenecker:

Six. I have them listed and the dates if you want me to review it.

Mr. Givens:

No.

Brother Emenecker:

Six that were televised.

Mr. Givens:

How many public hearings did we have then, Mike? I might just throw that up to you.

Mr. Perry:

I would say that we average around 75 a year.

Mr. Givens:

Okay. That is 75. I would submit then Mr.. President if we go then to televise every public hearing in this Council, that that figure of 75 will probably jump up to --

Mr. Pollock:

Point of order. I think he is including the zoning ones in that 75.

Mr. Perry:

Well, that's a public hearing.

Mr. Pollock:

He's excluding the zoning in this bill. The bill excludes zoning. So, how many non-zoning ones?

Mr. Perry:

I can't answer that.

Mr. Pollock:

Zoning has to be half of them I would guess.

Mr. Givens:

Okay. Even if we go down to 45. We televise six and we come back and I would assure you, Mr.. President, then would come a format for just anything that anybody would want to discuss that might be local in nature and just asking this Council for their ear and support, and they know they can get all nine of us here at this table in a short period of time and bring whatever expertise they want to, rather than trying to go down those halls there and pigeon whole nine different Councilmen. You know how hard that is to get nine different Councilmen. It's very difficult for anybody that is in this room. It takes, you probably a week or maybe better to get nine Councilpeople to sit them down

in their offices for a 30 minute period because of those schedules that all of us are under.

So, again, I just appeal, not because I don't want to televise, but I think it would put such a burden, workload on the cable people that they are not going to get anything else done. I think that is very important. We do have a \$280 million budget that we are talking about right now. If you bring in the capital improvements on that CD budgets and authorities, we are talking about \$400 million. There is so much that the people have to know about City Government and of all of the programming for the various programs that we have here in this City. That has to go over that Channel 17, and if we go into that time, then the people are not going to be informed so it becomes a judgmental factor as to what goes out on that Channel 17, and more and more people are viewing it, but they want to know how to purchase some real estate and when the courts are in sessions and they want to know how to get a marriage license, maybe. They want to know so many different things, and it comes over this one channel, and in talking to Brother Richard, said sure he will do it for this Council because we have number one priority, but to do that, he is not going to be able to do everything else.

And may I remind this Council that a couple of weeks ago this Cable Bureau received national acclaim by national recognition of one of the finest programming, including this Council viewing, and the balance of that viewing. Meaning that Council was on their a sufficient amount of time, plus everything we debate right here. We do have other means of media. We also have radio which is in this Council Chamber all of the time. We also have post agendas and everything else and we also have the written media that is in

here covering our actions and inactions as some people might attest to.

That is all I have, Mr. Chairman. My recommendation on this right now would be either to hold it until we really study it, or I would ask that Council not vote for this because the impact it's going to have. I'll be back up here, I guarantee you, in four or five months, asking that we not do this. And to put that signal out to certain people that we are going to broadcast every public hearing and then have to pull it back in again. It's just like putting a tax on somebody. Once you initiate it, you will never never get it back.

Mr. Pollock:

First of all, Brother Richard, it would actually be more convenient and easier for you to schedule if you knew and worked this out with the President that Tuesday morning there would be public hearings, and you would not have to wait until Monday to see if we said televise it the next day. You could work your schedule much easier knowing that any public hearings will be scheduled at Tuesday at 10:00 and so forth.

It's no secret that since I have been on Council that I have supported greater openness, and that's not the issue here, but in a way it is. What everyone is failing to consider and hasn't mentioned yet is that we have a public hearing and there are generally more people observing it than there are speaking, with few exceptions. If that public hearing is not aired, as we described most aren't, then we are depriving the vast majority of the public from seeing what we do here and what citizens say.

Mr. Givens cited the two most recent examples of the skateboard and Beer World, and he called them local issues. Well, I submit to my colleagues

that those were not in fact local issues. Skateboarding is a problem all over the City. I get calls from all over the City. There are young people who skateboard all over the City. There are senior citizens and others who have complaints about skateboarding all over the City. That was a City issue. That should have been aired. Secondly, the Beer World, that is also a City issue as came out in the hearing. The company that is putting the Beer World in is thinking of doing this all of the City of Pittsburgh. I think we will have another public hearing on another Beer World, and in fact, if we did air these, they might cut down the number of public hearings.

The point I am making is if people can't come down here to this Council, as the vast majority can't because of work, school, because of physical disability, because of care for children at home, because of costs, parking and transportation, then they are really deprived of seeing something that their government does.

If you exclude the zoning hearings, you are talking about an extra maybe so far this year 20 or 25 hearings which would not be very long which could be held right after each other and I think it would be doing a service for the citizens of the City of Pittsburgh. And as I said earlier, it probably would be more convenient for you.

Mr. Wagner:

I just have one other question for Brother Richard.

Brother Richard, could you handle it if it were scheduled on Tuesdays at the time without any additional cost or any additional dollars necessary for your budget?

Brother Emenecker:

Take that last part of that first. There are not going to be any additional dollars, so I have to work within the five percent franchise fee. Again, we would just simply have to shift the priorities. Looking back over the record, we did six this year, not counting budget hearings. From the second week of November until the end of December, we don't do anything other than budget hearings. We squeeze a few things in here and there, but you have us almost 100 percent of the time. but it was six hearings this year, six hearings in '85, and six in '84. So, the three are averaging the same. Now, we are at a point where if you change it, I don't know what it is going to be like. I hear 25. Well, that is one every other week.

MR. WOODS COMMENTS

Mr. Pollock:

But many you schedule back to back and they blend into one.

MR. WOODS COMMENTS

Brother Emenecker:

You are really getting down to then one a week, and that's why I was asking if it's going to go through as written, we are talking about — I've already made a commitment to televise the monthly meeting of the Cable Advisory Committee on the second Tuesday evening. If you require us to be here on Tuesday morning, then I am into an overtime situation which I don't really like. If you are going to go forward with it, and it's your choice, obviously, a more regularized schedule would be beneficial to us, and we could then make sure all of our resources are efficiently committed.

And there is another issue there and that is if we are going to televise public hearings, when you tell us on

Monday you want it the next day, we put a message up on the screen Monday afternoon that it's going to be televised the next day, but that's not much notice for anybody watching Channel 17. We obviously would like to give the viewers as much advance notice as possible.

We will serve you whichever way you want. It remains to be seen whether we could handle 25, 30 or 40 more in a given year. Obviously it's something that — if we do that, we can't do something else, and we are getting a lot of requests from departments to do more informational programming for them. So, it's trying to achieve a balance, but you have first priority, even if you give us 24 hours or less notice.

Mr. Wagner:

As a follow up to your comment, the fact that you are on standby, I don't think is good. And maybe even if this ordinance is not passed, Council should have some requirement of notification with a time period to let us know rather than it being 16, 20 hours. On a Monday afternoon we vote on it for Tuesday morning. There should be some type of time frame so that you can properly schedule and can properly notify the public over the cable channel that there is going to be a televised hearing.

Brother Emenecker:

Well, we can be on a standby for six a year. I'm afraid if you keep up on standby and it escalates to 20 or 40 a year then I think I would have to come to Council and say that I think we have a real problem here. At this point, we don't have a problem from our perspective.

Mr. Wagner:

Well, this would correct the

standby issue. It would and it could identify certain days which public hearings were televised. And the ordinance could be amended to include that. The ordinance could also be amended as you indicated that there is an over abundance of time commitment between the time the Mayor introduced the budget until Council passes the budget where possibly we would not have televised public hearings due to the commitment of Bureau of Cable Communications. If the need to do that existed. But the point I want to make in summing up this legislation and the reason behind the legislation is that again the public pays for the Bureau of Cable Communication and the capacity of this Council Chambers written right here on the wall is 200 persons. And if there is a public hearing and that public hearing is not televised, we have 85,000 subscribers, and there is another 84,800 that can participate by turning on the television to Channel 17.

Brother Emenecker:

Well, probably more than that because that is 85,000 subscribers and you can have two or three in a household.

Mr. Wagner:

So, we're talking about 200,000 can take part in it.

MR. WOODS COMMENTS

Brother Emenecker:

If they buy HBO.

Mr. Wagner:

So, therefore, we -- really what I'm talking about is it opens up the government process of public hearings

and you bring the people closer to City Government. And I personally think that is good. The far majority of public hearings pertain to issues that apply City-wide. Even some of these minor issues that apply City-wide. Even some of these minor issues that appear to be localized are really not localized. Those are issues that the public in general wants to know about. They want to know what Council thinks. I feel that if there is a way in which this can be worked out, and I have a feeling that it can be worked out, and it will not cost any more, it will bring an equal status to all public hearings, except zoning hearings, because zoning hearings are localized hearings. A zoning hearing pertains to a parcel of property in a particular neighborhood, and generally if there is people in favor or opposed, it's from that neighborhood and from that neighborhood only whereas the public hearing applies more to a City wide issue. It will bring an equal status to all public hearings. We as Council will not determine which ones are televised and which ones are not. So, I would strongly recommend to my colleagues to give this fair consideration for approval. If there is a need to amend it to address some problems of timing, I'm sure that could be done, and I would entertain any amendments.

The Chair:

Well, if I might have the floor for a minute. I would urge my colleagues not to support this piece of legislation for a number of reasons. One, the procedures that we now follow I think are adequate and that is any member of Council can recommend that a public hearing be televised, and with five votes, every public hearing can be televised, and to my knowledge, any request that we have received from a community group has been televised.

I think the cost of televising every public hearing would be prohibitive. Let me give you an example why I don't think it's necessary. On June 10, 1986, we had a public hearing. We had a request for a public hearing to discuss the needs for resurfacing of Sickie Street in the 13th Ward. Now, that's a public hearing that I don't think needs to be televised.

(END OF REMARKS)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff Mr. Wagner
Mr. Pollock

AYES 3 NOES 6

VOTING NO:

Mr. DePasquale Mrs. Masloff
Mr. Givens Mr. O'Malley
Mr. Grabowski Mr. Woods
 (Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Mr. Grabowski presented

Bill No. 1907

Report of the Committee on Planning,

Housing and Development for November 26, 1986 transmitting one ordinance and sundry resolutions to Council.

Which were read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1581

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 11, by changing: From "M4" Heavy Industrial District to "SP" Specially Planned District No. 2 certain property being the northeasterly portion of Herr's Island, 24th Ward by amending Chapter 973 by inserting a new Specially Planned District entitled "SP-2" Herr's Island."

Which was read.

Michelle Madoff:

On Bill 1581 which finally resolves a long overdue action on Herr's Island, now to be known, I believe, as Washington Slept Here. I really think we ought to keep the same name, Mr. Herr, who found the island, but that's another story.

But I think it's very important that this Council is finally in a position where we can vote for this bill without hurting either side but I would less like to give kudos to Mr. Ray Christman, the new head of the Urban Redevelopment Authority who replaced Mr. Paul Brophy. I think he did a yoeman's job and performed above and beyond the call of duty and really sat down and worked things out and I want to thank him personally.

Mr. Wagner:

Mr. President, in regard to Bill No.

1581, I would like my comments brought forward for the record.

(BEGINNING - MR. WAGNER'S
REMARKS - BILL NO. 1581 -
WEDNESDAY, 11/26/86)

Mr. Wagner:

Mr. Christman, in regard to — first of all, I'm happy there has been progress made but I'll never really be happy until I see people living and working on Herr's Island and I think we've just reached the point there we can begin to proceed hopefully in a logical fashion and begin to see some of the return of the taxpayer dollars that have gone into the island hopefully with the building of some new buildings. First of all, reaching this agreement whatever it is, and I haven't seen it yet, are we going to get a copy of this agreement?

Mr. Christman:

Certainly you will. What the parties felt was best when we concluded our discussions and signed the agreement last night was not to distribute the agreement to Council or any other party outside of the principals until such time that it was approved at the URA board meeting and made public. What I would volunteer to do certainly and I think representatives of the Buncher Company and the Northside group would support me on this is to meet privately with any member of Council and share with you the details of this agreement but I think it would be best to keep the written document to a limited number of parties until — which is just another two weeks away when the board meeting of the URA will occur and approval will be sought at that time.

Mr. Wagner:

So you will supply us with it after

the URA formally approves it.

Mr. Christman:

Certainly. At that point it becomes a public document.

Mr. Wagner:

I can wait that long and I'm sure Council can and I feel very optimistic about the bill today. I have a request though as it goes with Herr's Island. Due to the fact that Herr's Island has been a ten-year project to date and due to the fact that so many tax dollars have gone into it and will continue to go into it, I would like the URA to keep Council abreast on a monthly basis as to the status and development of that island. Even if it's a one-page memo or if it is a copy of the memo that is written as to the progress of the Northside Development Corporation, the Buncher Company, or whatever it may be on the project, we've put too much time and effort and too many dollars into this island. I believe Council should have a continual status report on the progress of the island as it's moving forward.

I believe you indicated previously that you hope to break ground over there soon on a building and hopefully we'll have some people actually working on the island in a year?

Mr. Christman:

I would think that — before the end of 1987 we might have some people working on the island.

Mr. Wagner:

Is it a problem to have someone on your staff send us a memo on a continuous basis?

Mr. Christman:

We'll make that a regular correspondence that we have with all members of Council — a monthly status report on Herr's Island.

If I could respond also to one of the points that you make in the beginning. I agree completely with your first comment. We still don't have any development on the island. All this is a framework or a process for getting there but I think it's still a big step because we didn't even have that before and I think now we have a chance to have the total development of the island occur in a coordinated way.

Mr. Wagner:

What is the realistic potential we're going to see residential development on the island?

Mr. Christman:

The proposal indicates that that is one of the three options for the Buncher-owned portion of the island and that immediately upon ratification of the agreement all parties will participate in a process to study the market for housing on the island and to determine its feasibility and I think we have basically a six-month time line for reaching a decision on that. At the same time, we'll be concurrently studying the other two options so that I would hope by mid-year 1987 we'll have a pretty good sense of what's possible and what's not on the lower end of the island, including residential.

Mr. Wagner:

Now what is the potential with this zoning change that there could be residential housing on the upper two-

thirds of the island at some point?

Mr. Christman:

The zoning change today does not — the zoning itself does not do anything to preclude residential on the upper end of the island but the current plan for the island does preclude that. The current plan for the island calls only for office, light industrial research and development uses on the upper end of the island.

Mr. Wagner:

If your market study indicates that residential development could be more successful than originally thought, is it still within the realm of possibility that a portion of the upper two-thirds of the land would be used for condominiums or whatever?

Mr. Christman:

My understanding of the specially planned zoning district which is what you're voting on is that it's a very broad kind of a zoning category that permits residential, industrial office — all those categories. So by voting for the rezoning to specially planned districts today on the upper end of the island does nothing to preclude or limit opportunities for residential on that site. The only thing required is simply a plan change at that point, so you would have a zoning classification in place to permit residential if that's your question.

Mr. Wagner:

Are you saying in essence that it depends a whole lot on the study?

Mr. Christman:

Quite frankly, we are looking at this study pretty much from the standpoint of the lower end of the island

where housing is called for now. It's hard for me to envision a situation developing where housing appears to be so dramatically called for and attractive that you would suddenly replan large portions of the upper end of the island but we've already had a number of surprises with this development.

Mr. Wagner:

I've always been of the opinion that it's a fantastic spot for that. Whether or not Buncher takes advantage of it or whether or not Northside development takes advantage of it, I don't know.

Mr. Christman:

Keep in mind that the Buncher-owned land calls for currently 200 housing units. That's a substantial number just right there.

Mr. Wagner:

I talked about marinas earlier. Can we be reassured this Council that we are going to see marinas on that island?

Mr. Christman:

Yes, you can be assured of that. The plan calls for a marina, a marina that would be the largest, the best, the most comprehensive marina along the rivers of Pittsburgh. We, in the agreement, call for a process to try and resolve the land ownership questions very quickly that would allow the URA to move on a marina RFP process and attract a marina developer in 1987.

Mr. Wagner:

And the potential exists if the demand is there to even be greater than is proposed.

Mr. Christman:

Absolutely. The plan for the island calls for ships to essentially surround the island if the demand is there.

Mr. Wagner:

My last question; it's been a hot spot for me. Does this plan, or are we in any way in this plan suggesting that we are giving the back channel to a rowing club?

Mr. Christman:

Let me try to explain where that proposal stands as I understand it. There is a rowing club in Pittsburgh that has been using the back channel for their purposes. They are associated with a number of local universities and private individuals and they are interested in acquiring land from us to construct a facility for their club and the planning we have done is attempting to coordinate this rowing facility into the marina development so that a minimum amount of land that would otherwise be used for a residential or a public use or an office or whatever would be taken up for this purpose. We're at the very preliminary stages of this discussion with them. We don't even know whether they're going to have the resources to pay the market rate for the value of the land as we're setting it so it's I think it's presumptuous to be optimistic or negative on it but again back to Mr. Givens question, if we decide to approve within URA this kind of a use of land on the island, it would come back to you and you would have to make a judgment as to whether you think this is a proper utilization of land and the return we're getting from it is an acceptable trade-off.

Mr. Wagner:

My concern is that we end up taking two-thirds of the back channel.

Mr. Christman:

We're not talking about anything like that in terms of numbers. I think we're talking about four acres for the marina and the rowing club being worked in there to take some percentage of that. Now I can't give you an exact acreage but I'm thinking of something that may be somewhere around an acre taken up by the rowing club facility if we go in that direction.

Mr. Wagner:

Number one, that would have to come back in front of this Council. Well, I feel comfortable with it then. I simply do not want to see the back channel given to a rowing club when the taxpayers of the City paid for that. It's one of the most beautiful areas along our riverbanks anywhere.

(END OF REMARKS)

Mr. Wagner:

I just want to mention again the request made to the Urban Redevelopment Authority of a monthly report on the status of development on the island. I think Council should be kept abreast of what is going on there; I know we have one member of Council, Mr. Grabowski, that sits on the URA board, but I think this project, because it involves so many taxpayer dollars, over \$20 million, and we've been talking about it for 10 years, there's a need for Council to stay abreast with what is proposed and what is happening there.

I also want to mention that we will be receiving some type of update because whenever they build there they'll have to come to Council for approval.

Mr. Givens:

I'd like my remarks on Bill 1581 to be brought forward, please.

(BEGINNING - MR. GIVENS' REMARKS ON BILL NO. 1581 - WEDNESDAY, 11/26/86)

Mr. Christman:

Well, I think I have good news to report. At least most people around this table will feel that I have good news to report. We have an agreement that has been reached between the Buncher Company, the North Side Civic Development Council and URA regarding the future joint development of Herr's Island, and this agreement is a signed agreement by all parties that will be made public in December at the URA Board Meeting where it will be ratified by the Board which is less of a legality than a legitimizing sort of action that we will be asking the board to take, and at that time, we will be spelling out in more detail the various steps that will be taken by all from the Buncher Company and the North Side Civic Development Council and their joint venture partner, Dick Ruminooff all of whom are in support of this agreement.

The points in the agreement include among others, that the Buncher Company does support the request before you for rezoning parcels D and E on the upper end of the island today, and we again ask your support and action on that matter.

Subsequent to that, development will move forward as we described to you before regarding parcel D and E, however, there will be participation in all likelihood by the Buncher Company on the upper end of the island and the development of the upper end of the

Island as well as a process laid out, a frame work for how we will resolve over a matter of months the final disposition of the land now owned by the Buncher Company. As we described to you before, there is a number of options before us, the development of housing, the replanning it from housing to office use or ultimately purchasing the Buncher interests. All of these matters are addressed in the agreement with a time table and a specific process agreed to by all parties as to how we will ultimately reach conclusions as to one of those options based on work that has to be done between now and then.

So, I think what we have here is a very happy coming together of all parties regarding a joint development process for Herr's Island and I hope that answers your question.

Mr. Givens:

I think it does. In your estimation, do you feel that the North Side Development Corporation has — have you looked into — it's a question that I think is a very serious question to the fact that we are going out on a totally new concept of community development — developing major projects within the City. Washington Landing — I think that's the new name and I'll use that so people are familiar with it. Washington's Landing then is a major piece of real estate within the City of Pittsburgh. Do you feel comfortable and have you reviewed the funding of the people who are going to try — are you satisfied that this developer in your research has the capability to carry out his endeavors on Herr's Island?

Mr. Christman:

We felt that way from the beginning. I was involved back in the

early part of this year in the identification of the North Side Civic Development Council as a group that we thought could be both the developer — and it's important to keep in mind that what we originally asked the North Side Civic Development Council to do was to market Herr's Island for us. As part of that marketing effort which they will continue to have responsibility for, they will be doing some development. They have a track record of successful development on the North Side. They have an established development partner in Dick who has been working in the field for 20 years or more, and the plan, the land development plan that they have developed and presented to us — and I think that got lost in all the controversy that has emerged over the last couple weeks — but plan for the upper end of the Island and I have full confidence that this is going to be a superb development.

Mr. Givens:

What is going to be the functions then of the URA in this development?

Mr. Christman:

Our function will be as it would have been regardless of whether this agreement was signed. We are one of the principle land owners. It's a certified redevelopment area, and we have responsibility for implementing the Redevelopment plan for the island, and we have responsibility for setting along with the Planning Commission and Council the standards and controls that will govern the site in making sure that all development that takes place on this site is in conformance with the redevelopment plan, the standards and the controls. And of course, all the disposition of land to individual developers will have to come before URA and ultimately before City Council.

Mr. Givens:

I would like Director, if you could expand on that last point and one that I wanted to bring up. What actions will this Council, will be necessary to come before this Council and not this particular development as that one building that they're talking about there, but other buildings an other land use? Will this Council have a say in future buildings going up on that island or when we pass this particular bill, will they be finished with it as far as Councilmatic action?

Mr. Christman:

The actions that will certainly come before you will be any sale of land for construction of any buildings on the island whether they be office, industrial, housing, whatever, marina, etc., all the various uses that are now planned for the island. So as we sell land in two and three and four-acre pieces to the Northside Civic Development Council, to the Buncher Company, those actions will come before you. In addition, if as a result of continuing discussions there is any proposal for a plan change from the existing plan, that of course would have to be approved by you.

Mr. Givens:

This particular parcel of land that we're now going to — we have before us now is the zoning, right?

Mr. Christman:

This is just a rezoning on Parcels D and E which is the upper two-thirds of the island.

Mr. Givens:

Will they then come back with us at a later date for the building that they

said will go up on that? Will that then come back to us when the URA then sells that?

Mr. Christman:

Yes. And I should add of course that there will have to be a subsequent action on rezoning on the lower end of the island. The part of the island owned primarily by the Buncher Company.

Mr. Givens:

Our dream, the dream of many members of that board in the past, and probably hopefully in the future, including you as the new Executive Director, were to connect all of our riverfront property in a continuous park environment which has public access to that riverfront property. That was my feeling many years ago shared by the Chairman of the Board. From the tip of Clemente Park all the way out to the Millvale Marina and beyond. We want to open up the riverfront property and walkways and little out croppings so people can fish and look into the rivers and enjoy it. Even to get on a bicycle and be able to navigate even to get down there and to run along our riverfront property, and the most picturesque that we have. Anything that will come before this Council that doesn't include public access to this now Washington Landing, I will personally vote against, and I hope my other Councilpeople will also. We want all this land, even though it's going to be publicly owned — not publicly owned, but privately owned, that we reserve that part of the waterline for a park environment. I appreciate that some of those areas are steep in slope and very difficult, but I think we can make pathways through that particular area.

Secondly, I want to impress upon the North Side Development Corporation

and also the URA board and staff, on that Washington Landing, much beautification must be done in order to attract number one people. So, resources must go into that on at least painting those bridges and trying to acquire more of the railway property that is old yards on the mainland abutting Washington land to upgrade that particular area so that residents and the businesses that are on Washington Landing will be looking at something other than an ugly bridge right now, including going across the river to the old industrial site over there along Lawrenceville particular area. You got drudgery of buildings over there that are painted black and area really an eyesore in any major urban —

MR. DEPASQUALE COMMENTS

Mr. Given:

We are on the bill, and I am setting my conditions on voting for this as hopefully these other things will be carried out and points of interest.

As I stood here with other Councilmen and the Governor and signed the bill to do away with our particular job here as Councilpeople, I submit to you that when we sign this bill that there must be some curtailing of staff within the Urban Redevelopment Authority —

MR. POLLOCK COMMENTS

Mr. Given:

We are now having, if I could explain to Councilman Mark Pollock, that we have now people in the community doing what is traditionally has been done by our planning Department and our URA Department, but that is understood. Because hopefully more communities will get involved in the spirit of North Side

Development Corporation. I can think of the East Liberty Development Corporation, the Oakland Development Corporation, the Southside Development Corporation all over the City, and they are going to jump into this and in doing this that we know, that we can't be able to fund the neighborhood organizations out of CD money and be able to fund continuously as we have. If it develops, the Planning and the Urban Redevelopment Authority Departments of the City. What they are doing is doing your work for you. I know you have the umbrella responsibility as you have indicated here, but that is a reality, Mr. Christman, and hopefully, it won't mean any change right now, but in the future it will mean change, and I hope that you are looking at that because we are paying double handed right here. We are paying for community development and for Urban and JPlanning to do the same job. Some place that has to be streamlined so that every CD dollar that we get down we don't put into administration and overhead cost. I hope I am clear on that.

(END OF REMARKS)

Also,

Bill No. 1809

A Resolution entitled, "Resolution approving an Agreement by and between the Urban Redevelopment of Pittsburgh and Signet Associates & Polish Hill Civic Association in which the Urban Redevelopment Authority of Pittsburgh will provide financial assistance to the purchasers of houses to be constructed in the 6th Ward of the City under the terms and conditions of the Neighborhood Housing Program."

Which was read.

Also,

Bill No. 1810

A Resolution entitled, "Resolution amending Resolution No. 230 effective March 31, 1986, entitled: 'Resolution authorizing the Mayor and the Director of the Department of City Planning to enter into Agreements with the following groups: Greater Pittsburgh Visitors and Convention Bureau to utilize funds for construction of a new building; Hill District Porject Area Committee to assist in neighborhood Revitalization Activities; Mom's House to assist in rehabilitation of building; and Bedford Dwellings Residence Council to assist in Food Distribution to unemployed persons, by correcting the name of the group Greater Pittsburgh Visitors and Convention Bureau to Greater Pittsburgh Visitors and Convention Bureau Education Foundation, Inc.'".

Which was read.

Also,

Bill No. 1841

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Allegheny Chamber of Commerce, for professional services in connection with the Business Outreach Program, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1103 (110304), Miscellaneous Services, Department of City Planning, and transferring \$3,000.00 from Code Account 10 (001008), Accounts Payable Prior Years to Code Account 1103 (110304), Miscellaneous Services, Department of City Planning."
—(SPONSORED BY MR. WOODS)

Which was read.

Also,

Bill No. 1858

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Pennsylvania Department of Community Affairs for a grant in connection with the Bryn Mawr Road Project; providing for execution of a Grant Agreement and related documents and for the filing of requisitions and other data; providing for required assurances; providing for creating a Special Trust Fund in connection with the Project; and providing for the deposit of the fund in a bank account."

Which was read.

Mr. Grabowski:

Regarding Bill No. 1858, the mine subsidence bill for the Bryn Mawr residents, I'd like my comments from Wednesday's meeting brought forward.

**(BEGINNING - MR. GRABOWSKI'S
REMARKS ON BILL NO. 1858 -
WEDNESDAY, 11/26/86)**

Mr. Grabowski:

I would just like to make a statement that this money is for the mine subsidence that occurred on Bryn Mawr Road several months ago. The \$200,000.00 was appropriated by the General Assembly and is sitting in an account in the Department of Community Affairs specifically for this project, and Speaker Irvis is to be commended because I am sure that he is the one that spearheaded this appropriation. I think the legislature was somewhat short-sighted in the fact that there are other communities throughout Pittsburgh that have been affected by mine subsidence. Now, not to the degree that Bryn Mawr Road was affected, but nevertheless on an individual basis there have been other cases, and I think that perhaps in the next fiscal year, the

General Assembly, especially the legislators from the southern tier of the City should consider similar appropriations to resolve some of these problems that may be in their district and I just wanted to put that on the record.

(END OF REMARKS)

Also,

Bill No. 1859

A Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the implementation of the Bryn Mawr Road Project and further providing for the payment of the costs thereof not to exceed \$200,000.00."

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Pollock presented

Bill No. 1908

Report of the Committee on Water for November 26, 1986 transmitting one resolution to Council.

Which were read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1834

A Resolution entitled, "Resolution providing for a Contract or the use of existing Contracts for the purchase of microfilm equipment to be used in the Department of Water and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

I would like provided for me the total dollars for the computerization and microfiche requirements for the Water and Sewer Authority.

What is happening is we're getting all our bills in segments. I've asked for this before from the City Clerk and I believe he sent letters out. Would you send them out again, for about the sixth time?

It is not productive for this Council to vote in a vacuum. We don't know whether the \$22,000 is a total sum for this project or just a portion of what we're paying because we voted on a major bill. It would be very productive if the City Clerk got the information as to what the total budget, what the total program is, one line, two lines, and this is \$22,000 for additional or some new program or existing program, and how much we've already spent because the

overruns are going to kill this City.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Givens:

I'd like to invite John Burstein and Adrienne McCoy to come up here.

Mr. Givens presents

No. 1909 WHEREAS, research over the last couple of years has revealed the sad fact that the infant mortality rate in the Pittsburgh area is alarmingly high, damaging the City's reputation of being a wonderful place to live, work and raise families; and

WHEREAS, from the Mayor's Commission on Families to grassroots community efforts, many people are working hard to reverse this unfortunate trend; and

WHEREAS, a three-part series has recently begun in In Pittsburgh, taking a hard look at the economic, political, social and medical aspects of the problem of infant mortality; and

WHEREAS, this series is the result of an intensive three-month research project by In Pittsburgh writer Annemarie Draham funded by a grant from the Institute for American Journalism; and

WHEREAS, as a member of the Association of Alternative Newsweeklies, In Pittsburgh is part of the Forgotten Americans Project focusing on those Americans deprived, impoverished, or destroyed by sweeping economic and social change.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend In Pittsburgh and writer Annemarie Draham for focusing public attention on the serious problem of infant mortality in the Pittsburgh area.

Mr. Givens moved to adopt the resolution.

Mr. Pollock seconded the motion.

Which motion prevailed.

Mr. Givens:

I would like at this time to have John Burstein, Publisher of the In Pittsburgh, come up and also, following him, Adrienne McCoy, who is the Editor of this newspaper. Annemarie, the person who wrote the article, I would assume, is out of town or on assignment.

Mr. Burstein:

On behalf of In Pittsburgh, you're City's weekly journal of news, arts and

entertainment, we're honored to be here today. We'd like to thank Councilman Givens, his staff, and all the members of City Council for recognizing the importance of the issues raised in our series on Black infant mortality. This kind of recognition for this type of story means a lot to us.

Everyone knows that Pittsburgh has consistently had the nation's highest Black infant mortality rate for several years. White infant mortality is high as well. We wanted to take the story beyond the statistics, to show what can be done and what has been done. When we began researching the story, we focused on the problem of infant mortality as a result of the social and economic forces as well as medical conditions. Frankly, we expected to find that the issue was largely neglected. But as the writer, Annemarie Draham, began researching the issue, she found many vocal and committed individuals and organizations. From the Mayor's Commission on Families to people working in a similar way to make a difference on the individual level.

We think this says a lot about Pittsburgh, a city that faces its problems with its sleeves rolled up. While In Pittsburgh is known for its coverage on the cultural lifestyle aspects of the City, we also feel its part of our mission to look at the problems that Pittsburghers face and hopefully find the solutions.

We decided to tackle an issue that's not pleasant at the risk of turning off some readers. But we wanted to face a problem that doesn't seem to be going away. We remain committed to raising issues that affect the direction of our city.

In Pittsburgh is the City's alternative news weekly. We're two and a half years old and we're reaching a

weekly audience of over 36,000 readers. We're a member of the Association of Alternative News Weeklys whose other members include the illustrious sister papers, The Village Voice, The Boston Phoenix, The L.A. Weekly and the Chicago Reader. It is a fact that almost every major cosmopolitan city in America has an alternative voice for news and arts coverage. Pittsburgh can finally be proud to boast of its own. As Publisher, I am also proud to provide this city with a forum for provocative news and advance garde arts coverage.

The Forgotten Americans Project is sponsored by the Institute for Alternative Journalism which is a non-profit organization whose aim is to foster the ideals on which journalism was founded, fairness, honesty and truth. Grant money was made available to working journalists across the nation in order for each reporter to focus on the plight of the people most impacted by economic and social conditions.

Because of Pittsburgh's abnormally high infant mortality rate and of what we saw as a direct link between infant mortality and economic conditions facing Pittsburghers due to lack of employment and funds for proper medical care, we chose the succeeding generations of black and white youth who may not live until their first birthday as our Forgotten American. We are among the selective publications chosen to contribute to the Forgotten Americans Project. The \$1,000 grant we received was the maximum amount awarded in a nationwide competition against even larger and more established papers. An anthology containing the articles on equally timely and important issues will be published in 1987.

The writer, Annemarie Draham, was former Managing Editor at In Pittsburgh. She continues to contribute

on a regular basis. Her work also appears in the Philadelphia Inquirer and the Greensburg Tribune Review. Miss Draham was nominated for three Golden Quills for stories written for In Pittsburgh. Needless to say, we are very proud of her.

We applaud your pioneering effort in recognizing the Forgotten American. I hope this is a beginning of continued partnership towards enlightening people about the problems that tear the social fabric of our city. Together we have the power to repair, heal and help the people who are the forgotten in our midst.

Thank you very much.

Mr. Givens:

Needless to say, if any generation is to pass down something to the next generation, it is something that we're talking about right here. And I think government is a catapult where we can bring these issues before us and discuss them openly and try to get the widest dissemination. Many people living in this city today still do not know that we are, in fact, one of the world reknown transplant institutions of this country and the world and what is happening to our children and our unborn children. We have to ask that question. Do we, in fact, have the number one areas for maternity wards within our various hospitals or have I observed over the last 10 or 15 years with even my own grandchildren, that the maternity wards are getting smaller and smaller and smaller until, in some cases, they're disappearing almost completely from some of our major hospitals. That is a great concern. And when our children have a legacy of not having problems with our offspring and I think that is one of the most important family issues that we in this Council can address and I'm very happy that you're newsweekly did,

in fact, address that.

Mr. Pollock:

I'd like to also congratulate John and Adrianne and In Pittsburgh. I think it's a wonderful publication and one which I look forward to reading every week and I encourage all other Pittsburghers to read it as well.

You are to be congratulated not only on this series but on the two and a half years that you've been around. It's very difficult in this day and age for weekly papers, neighborhood papers, alternative papers, to make it. I hope you've crossed that hump that enables you to go on for many, many years.

I think your's is a paper of progressivism, of enlightenment, and as you said, provocative reading, avant garde reading. Many more years of success. Mr. Givens is to be congratulated for honoring such a publication, one which opens up its pages to individuals and groups of all types of lifestyles.

Thank you all for coming down here today and receiving this.

Michelle Madoff:

As you know, we've had several newspapers of your ilk that have not been able to make it. We had one years ago, back in '69 when the environment was a very serious, hot issue. There was a paper at that time and I remember it was based over the Beacon Pharmacy, as I recall, and it was also a very fine newspaper. As a matter of fact, the gentleman who edited it is now working, I believe, for the Allegheny Conference.

I think most of us would agree that what you're doing is great. I don't know that I get a subscription to my office but

if you see that I get an application I will subscribe. But I think you could do us all a great service if you'd start covering our post agendas and our hearings that are not covered on cable television. I think it is sort of - In Congress, the person sponsoring this bill voted against having everything covered but I think perhaps you could rectify that by covering some of these hearings. Call any of our offices and we'll tell you what's going on.

Michelle Madoff:

Would Mariana Davenport please join me? And may I please have all the members of the Coalition for District Elections that are here today please step forward.

Michelle Madoff presents

No. 1910 WHEREAS, on Tuesday, November 25, 1986, the Governor of Pennsylvania signed Senate Bill 1145 in Council Chambers, concerning the district election of Council, the culmination of more than a year of intensive legislative lobbying by the Coalition for District Elections; and

WHEREAS, the Coalition is an organization comprised of several dedicated individuals and four member groups: ACORN, Jobs with Peace, Pittsburghers Against Apartheid, and The Front for Black Unity, co-chaired by Jonathon Robinson and Carl Redwood, Jr.; and

WHEREAS, the Coalition for District Elections came together in June of 1985 to insure a more democratic form of local government, helped in the drafting of the legislation in September of that year, and lobbied the House and Senate of Pennsylvania as the bill passed through each step of the legislative process over the past one and a half

years; and

WHEREAS, the catalyst for the Coalition's efforts continues to be Mariana Davenport, a staff organizer on loan from ACORN, who has persistently pursued the passage of Senate Bill 1145 with tireless lobbying efforts and an unwavering commitment to justice.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Coalition for District Elections for their tireless efforts toward the passage of Senate Bill 1145.

Michelle Madoff moved to adopt the resolution.

Mr. Pollock seconded the motion.

Which motion prevailed.

Michelle Madoff:

Bill 1145 is the Enabling Act which will prevent various forms of election to go on the ballot.

I happened to be standing next to the Governor when he signed the bill and I got the pen and I thought it was only fitting that I give it to Mariana.

Mariana, I'll give you three copies because I'm sure you'll put them to good use with the right people, and I thank you very much.

Ms. Davenport:

On behalf of the Coalition, I'd like to thank all of the members of City Council for this recognition. It was very gratifying that the bill has passed; we are all very happy after all the work that it did pass.

I'd like to say that at this point our

work is really going to begin. We're starting to plan a petition drive. We are planning on putting 9-0 on the ballot and we need a lot of help to do that and we hope members of Council will help us with that. So, we have a long way to go but we've come a long way so far.

Thank you, Michelle.

Mr. Wagner presents

No. 1911 WHEREAS, the North Side Public Safety Council has been a definite asset to the North Side and the entire City of Pittsburgh; and

WHEREAS, the N.S.P.S. Council was established approximately four years ago to deal with matters of safety for all North Side neighborhoods; and

WHEREAS, a forum of continuing dialogue was initially established between community leaders and the # 9 Police Station under the leadership of Don Albrecht, and expanded to include the Fire and Paramedic Services, and the Magistrates on the North Side; and

WHEREAS, each year the N.S.P.S. Council has made significant progress toward protecting and preserving the neighborhoods on the North Side through crime prevention, crime awareness, fire prevention and accident prevention programs.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh salutes all officers and members of the North Side Public Safety Council for their efforts to make North Side a safer community to live, work, and raise a family.

Mr. Wagner moved to adopt the resolution.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Mr. Wagner:

Mr. President, I'd just like to say that was presented this past Tuesday evening at the annual banquet for the North Side Public Safety Council

Mr. Wagner presents

No. 1912 WHEREAS, the recent closing of the South Side Works of LTV has caused severe economic hardship in the Pittsburgh metropolitan area; and

WHEREAS, the METAL RETENTION STUDY is the essential tool for the reconstruction of a viable steelmaking industry in South Side and the region;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh urges that the immediate focus of the METAL RETENTION STUDY be on the restart of the electric furnaces of LTV South Side and that this examination occur at the same time as an examination of steel finishing facilities in the Pittsburgh area; and

BE IT FURTHER RESOLVED, that this METAL RETENTION STUDY be supervised by an advisory board composed of representatives of the following organizations:

Allegheny County Planning and Development; Pittsburgh City Planning; Urban Redevelopment Authority; Steel Valley Authority; Pittsburgh City Council; United Steel Workers of America; Tri-State Conference on Steel; Duquesne Light; Allegheny County State Legislative Delegation; Carnegie Mellon University-Steel Research Center; University of Pittsburgh-Engineering School; South Side Community Council;

Hazelwood-Glen Hazel Citizen Council;
LTV Steel; Wheeling-Pittsburgh Steel;
USX Corporation

Mr. Wagner moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Wagner:

Mr. President and members of Council, I just want to make a comment about this resolution. First off, it's a very important resolution and it relates to the public hearing we had in front of Council back about three weeks ago, but it zeros in on the South Side Works of the LTV Company, formerly J & L.

There is a Metal Retention Study and dollars allocated by the Commonwealth of Pennsylvania in the form of about \$375,000 that will go towards a Metal Retention Study here in the region. What this resolution is suggesting is that the Metal Retention Study go on in two different phases at the same time; one to look at the region in general as to what steel facilities are re-useable and can be re-used up and down the valley. The other is to zero in on the Pittsburgh LTV South Side Electric Arc Furnaces. That is the most modern piece of steel equipment in the valley; it has not been in use for a significant period of time, up to five years. It can employ a lot of people and what this resolution is suggesting is that the Metal Retention Study, a portion of it, zero in on that particular plant and those Electric Arc Furnaces and find out a way to put them to use as soon as possible.

Also as part of this resolution is an advisory board, the creation of an advisory board, which would consist of 16

different entities. Obviously there would have to be a coordinating effort there and I think the appropriate person is the Executive Director of the Urban Redevelopment Authority, Mr. Raymond Christman.

It's important that the Metal Retention Study done has direction and this well-rounded group, I believe, can provide the type of direction to determine the immediate use, future use, of the Electric Arc Furnaces on the South Side.

I would suggest in passage of this resolution that it be sent to the Allegheny County Planning and Development Department and also the Urban Redevelopment Authority.

Mr. President, I know you will be making an appointment to it. I would request to be on it and possibly other members of Council would want to be also. Or we could even alternate possibly attendance on the advisory board. But it is a very important board, it is the last of the high quality machinery left in this community in terms of steel-making operation. Therefore, it's very important.

Michelle Madoff:

Since I dealt with that issue for it seems like a hundred years, I remember when J & L had to clean up its furnace and was supposed to go to a cube-op and didn't and went to an electric arc and I promised them my three shares of J & L stock when they came with a compliance and they came in compliance by going to an electric arc furnace which is, you are correct, it is the most modern system. Unfortunately, it is not labor intensive but it was better to have some jobs than no jobs and when it was on line in a very modern facility for reasons known I guess best to J & L, they had opted to shut

down the electric arc. I know there is another facility in the steel making business looking for an electric arc and I might mention that electric arcs can, like most steel mills, be dismantled and can be transported. If the reason happens to be it's not an integrated mill and there's nowhere to sell the steel, there is another company waiting desperately trying to build an electric arc which can, as I said, be dismantled, moved and sold.

As I said, the problems are the modernization of the mill. For the record, I will tell you that mill is in compliance with all standards; it is not a problem from that perspective. It's a matter of goodwill; do we want to turn that steel mill over to perhaps the people who work in it to own it. Do we have a market for the steel so that we don't import steel from other countries? I don't know that Mr. Ray Christman would be the person to deal with that. Probably it might be somebody who is, on an on-going basis, dealing in the steel industry that we have some confidence in, perhaps somebody that Mr. Woods would know in the labor unions and people that have been and are knowledgeable in the steel industry.

It was a sad day when the electric arc went out because, as I said, it is one of the more modern mills and does meet all compliance standards.

Mr. Givens:

I echo Jack Wagner, Mr. President, and I know we're in the middle of budget right now but hopefully after this budget is over with, I mean, they're just pecking away at all of our resources that we have in many of our valleys. I talked to people in the steel industry and I know for a fact that many of our major components are being dismantled and being taken over to China and some of

them are going down south to Brazil. It's interesting to note that Brazil now is outdoing Japan in the world market in steel and here in this country we're still dismantling our ovens, our electric ovens, our coke manufacturing facilities, and sending them to overseas areas. And I think this raping of our industrial base, not only here in the Pittsburgh area but throughout our whole country must stop. I'm happy to see that our Congressional delegations and Legislators up there at the Congressional level, Senators, etc., are now beginning to really openly discuss this on the floor of Congress and hopefully some legislation will come down that will prevent this raping of our particular area. And I think this Council does have a part, being the largest municipality and the largest steel-making area of the country, that we hold on to what we have and try to bring it up into modern competition with the world economy.

Michelle Madoff:

Another subject. We are all aware that over the weekend our paramedics went out on strike, or declared they'd go out on strike, and because of negotiations that seem to be going favorably and because of their concern for the citizens of our community, have offered to come back this morning. I have an issue I wish to address but before I do I need to know the status of that. Does anybody here know whether they have come back to work? I know that the Mayor said that he would not accept, through Mr. Mark Zabierek his spokesperson, that he would not accept their coming back.

As I arrived here today from a meeting, in our lobby we had a former City employee I believe having a heart attack, some kind of spasm, and Mr. Schneider, I believe, was attending to him personally and we were looking for a

paramedic. I don't know if a paramedic did arrive.

My basis for supporting the paramedics in their quest for parity is not based solely on the fact that they are the best paramedic service, not solely on the fact that I believe, speaking for Michelle Madoff alone, that they are entitled after working a year without a contract, they've been patient, to have parity with the Police and Fire. I believe they should not be threatened that they would be wiped out and be assimilated or absorbed by the Fire Department, and I'm looking for where the money could be found.

So, in trying to establish where dollars are and priorities, and the key word here for those listening is priorities. If you gave, and I know I'm being repetitious because I mentioned this before, the average citizen the choice between having their child attend a zoo, an aviary or conservatory or having a paramedic when needed, I think the choice is obvious. We would be going and choosing our paramedics. In keeping with this, I tried, as all of us do as members of this Council, to try to get information. I want to read you a letter that is going to Mr. Jack Buckley and to the immediate world.

"Dear Mr. Buckley:

Enclosed are the figures I received from Mr. Schillo, Mr. Flaherty, Mr. McDermott and Ms. Louise Brown regarding expenditures for the Zoo, the Aviary and the Conservatory.

This is gobbledy-gook supreme. It appears that the right hand doesn't know what the left hand is doing.

What I am trying to ascertain is the actual annual cost to the City of Pittsburgh taxpayers to maintain the

Zoo, Aviary and Conservatory. As you can see, the enclosures show the dollars paid out of the general fund and the capital bond funds. Nowhere do we have total revenues for the Zoo and the total expenditures which would include monies spent from the general fund and paid in debt service for capital expenses for each of these entities. Louise Brown informs me she knows nothing of debt service on capital expenditures for the Zoo, Conservatory, etc. Director McDermott deals only with capital expenditures. Mr. Schillo estimates the debt service by averaging interest rates on annual capital expenditures. Where, oh where is there a total which factors in receipts from government grants and matching funds, concessions, attendance, private grants from foundations and private contributions (such as Friends of the Zoo)?

I am fully aware that the interest rates have varied substantially from year to year and I am willing to accept Mr. Schillo's premise of a 7.5% average interest rate for calculating the debt service on annual capital expenditures at the Zoo, etc. It appears that an ongoing total of actual to-date costs for operating any and all City facilities that generate revenue and mandate expenditures is not available on a daily or annual basis.

The public is entitled to the exact cost for operating not only the Zoo, Aviary and Conservatory, but all operations.

When Louise Brown informs me that she only has the figures for the annual General Fund expenditures, Mr. McDermott only has the figure for the annual capital fund expenditures and Mr. Schillo is estimating the debt service, it is unprofessional and not very businesslike, to be unable to go to one source to obtain an updated read-out of

what the cost is to city taxpayers to operate entities such as the Zoo, Aviary, Conservatory, etc. It is obvious that we have no ongoing records being maintained of receipts and expenditures so that a realistic dollar figure is available at all times.

In the private sector it would be incomprehensible for a corporation not to have at its fingertips the breakdown on every segment of their operation be it steel bars, oil, glass, paperclips, personnel, etc.

In the private sector this information is available at their fingertips. It should be available in the public sector.

As the City Budget Office does not have this information readily available without having to do the calculations, it would make sense to update our accounting system and bring it into the 20th century by having all revenues and expenditures posted, updated, and in the computer terminal for recall by any official who may need this information.

The argument that government operates differently from business is not acceptable.

What is desperately needed is the tracking of expenditures by program and location, essentially cross totaling all funds from each departmental expenditure so that the bottom line THE ACTUAL TOTAL EXPENSE TO TAXPAYERS is available. It appears that computers have been purchased by the Controller's Office capable of performing this function. However, this requires personnel trained to perform these duties and understanding the need for having this information available.

Mr. Buckley, can you please answer my questions and supply me with the

information I need?

Sincerely,

Michelle Madoff"

Michelle Madoff:

Mr. Flaherty and I whited out his personal note which essentially said, don't let them fool you. He doesn't give me any information. All he gives us is what's under contract or what the expenditures were, but no revenues, meaning, we get money, for example, for the Zoo from many government agencies. From the State, from the Federal Government. We got money from the State Foundation, we get money from attendance, we get money from concessions, we get money from the Friends of the Zoo. There is nowhere that we have a debit and credit system. It's all done helter skelter. You could not go to a terminal right now, Mr. Woods, or Mr. O'Malley, and say, "What is the cost to the taxpayer for 1986 for the Zoo? What was it last year?" Oh, it can be calculated if one goes about doing it.

So, here I have the figures from Mr. Flaherty which are not comprehensible. Then I have a note from Louise Brown. I asked her to give me 1983, 1984, 1985 and 1986 to date, and the figures appear to be, I'll give you '86 to date, \$653,983. So, \$654,000 out of the General Fund, that's out of the taxpayers' dollars, General Fund. Not the Capital dollars where we City taxpayers, as opposed to suburbanites, pay the debt service.

Then I have another memo from Mr. McDermott. Mr. McDermott says, "The Zoo costs us \$8,154,000. Then I get a phone call saying, "Oh, we made a mistake. Guess what? That's not the right figure. We have money coming in

from all these government agencies that are matching funds and it's only \$2 million. But, we're going to spend another \$7 million, and we think we may get another million back." So, it still ends up being \$9 million of the City of Pittsburgh taxpayers' dollars. But we can't get those figures because it's not in one central location.

I have another letter from Mr. Schillo. Mr. Schillo has gone back over a number of years; he's gone way back to 1980 when we had low interest rates and when we had high interest rates and he's come up with a 7.5 average over the next 20 years and he's projecting what it's going to cost us, that's it's going to be \$607,000 a year for the next 20 years, but he's now calculating that we've received some money that was never figured in in the first place.

I mean, this is like 20 cooks making the soup and this is a city that is run like a kindergarten and it is time that somebody take responsibility and assume the responsibility for having that information available. My latest scapegoat is presumably the Controller. I was told that this Council voted and that money was appropriated and that equipment was bought for the Controller's Office that provides for this information to be assimilated, but that you need people who know how to do it and that the Controller's Office as of this point does not have people trained to do it, to do the job of coalating, taking all the accounts, and providing this information.

I will tell you that if something doesn't happen soon, I am going to pursue this. I don't know in what direction, whether I need to go to the state government, federal government, to an attorney. As an elected official who received 78,000 votes in the last election, I represent the constituency

and so do my colleagues. We have a responsibility to know at any given moment by pressing a terminal what is the cost of any entity to this city.

Further, the paramedics generate monies from suburbanites, third party payees, that's your Blue Cross individual insurance policies, Medicare. I want to know on an on-going basis what have we generated from the paramedics. When I asked Mr. Cannon a number of years ago, the figure was \$2.4 million. That was in '84. In '86, it's down to \$1 million. What does it cost us to collect that money? What is the true figure that we collect? Does anybody on this Council know? You're the Finance Chairman, Mr. O'Malley; do you know?

Mr. O'Malley:

What was the question, Michelle?

Michelle Madoff:

Well, Mr. O'Malley, I realize that I'm female and I realize that it's difficult to concentrate on financial matters, but as the Finance Chairman I think it's important. The point I'm making, and I think the public understands very well the point I'm making, is that we do not have a 20th century accounting system available to you, and I say available to you from the City, so that you can get the information you need. And your idea of hiring an accountant was a brilliant idea and I supported you on that in our discussion in the back room. You said the media would chew you up; I don't believe they would. I think they would pat you on the back.

The important issue before us is, what is this Council going to do with reference to our paramedics? Are we going to say that paramedics are more important than the Zoo, the Aviary and the Conservatory? And that two-thirds

of the people using those facilities are non-City residents? Are we going to put our dollars in our budget into paramedics first before the Zoo, the Aviary and the Conservatory? I'll tell you what I say, folks. Give the Zoo and the Aviary and the Conservatory to the County and don't come back to me, Mr. Mayor, and say, "Michelle, what are you doing with my Zoo? That's my baby." And I don't want to hear from Louise Brown, "What are we going to do? Let the animals die?" No, we're not going to let the animals die. If the County doesn't want to take over the Zoo in an orderly fashion, since two thirds of that money comes from the suburbanites, and let us not forget, folks, we City residents pay County taxes; we pay those County taxes too, but we cannot afford the debt service which is over a million dollars now for the Zoo, and I will give you an accounting after spending two weeks coming up with a figure that at least the capital improvements on the Zoo right now are going to be something like a minimum of \$8 million that is going to result in debt service. And in case anybody listening doesn't know what debt service is, that means the money the City of Pittsburgh taxpayers borrow for capital improvements, for water lines, sewer lines, Zoo, Aviary, anything, and that we pay back out of our pocket but suburbanites do not pay.

When you go to the Zoo, you pay an admission fee, we pay an admission fee. You go to the Civic Arena, you pay to go in, I pay to go in. A City resident pays to go in. A suburbanite buys a hotdog, he pays of the hotdog; a City resident pays for the hotdog. A suburbanite pays to park; a City resident pays to park. But the City resident goes into its pocket every year for the debt service for the Zoo, the Civic Arena, the Convention Center, the Aviary, all the things that we maintain and give the services to. And I think its time that we had some

proverbials and we stopped being manipulated and stopped being threatened and being a bunch of gutless wonders. Give the Zoo to the County. If they don't want it, give the animals to other zoos who would love to have them. And let's have the courage to have our priorities in order and take our priorities as giving the money to our paramedics who are downstairs right now trying to save a life.

Mr. Wagner:

Mr. President and members of Council, in regard to the present situation with the paramedics, I just want to bring all of you up to date that as Chairman of Public Safety, I made a public statement about an hour and a half ago and I sent a letter to the Mayor indicating what I said and also to Mark Schneider, President of the Paramedics' Union. In that letter, I recommended that the safety of the public has become the most paramount issue, obviously, especially after four days of a strike and now it's considered, I'm not sure, a strike or a lock-out. One or the other; it depends on who you ask. But my recommendation was to permit the paramedics to return to work immediately and for negotiations to continue as they are working and to ask them not to stop working in the future.

The reason why I made that statement was that I think that, to be quite frank, we've been lucky in the last four days. We have had no catastrophic accident or accidents and consequently, I think the longer the lock-out or strike or whatever its called continues, the greater potential that the public will be the loser here. The paramedics want to return to work; we should give them the opportunity to return to work. And I think if they do return to work, they will not walk out again. That's my own opinion; no one has said that to me. And

I believe if both sides negotiate in good faith, then something can be worked out. And I'm hopeful that all of you stand behind me in that request, not only to the paramedics but also to the Administration.

Mr. Pollock:

On the same issue. While I do not support her idea, I would hope that before we give away the Zoo, the Aviary and the Conservatory, that in accordance with both the applicable laws and good business practices, that we put them up for bid.

Michelle Madoff:

I am really not joking; I am very serious. This is an issue that has come before this Council for years. I believe in order to subsidize their fair share of the Pirates surreptitiously by agreement, would this Council and the Administration agree to come up with some dollars that would go to offset the Stadium and the Pirates by funneling that to the Zoo but it's really not money for the Zoo, it's really money for the Pirates.

This Council has got to be dealing with a budget that is horrendous and we're just getting through by the skin of our teeth this year and next year it is going to be, whoever has that job as Finance Chairman I don't envy that job; it is going to be gruelling. And we're going to have to find money and we're going to have to have priorities and if people are going to take the position of recommending gambling casinos, if you're going to take the position of recommending taxing the hospitals, if you're going to recommend everything else, the first thing you better do is have the courage to say when two-thirds of the people use our facilities, you pay two-thirds of the cost. We've paid our share; we contribute to the County

taxes.

So, let's do first things first and let's not be intimidated by outside factors and let's not put it up for bid. The County should have that Zoo and I would make that in the form of a motion but I am sure that I would not have anybody with the courage to second it in this Council.

The Chair:

Ms. Madoff, can I answer you? I've listened to you, I don't totally agree with you, but I suggest to you, if you are sincere, very sincere, and if you do have the courage that you tell us that we do not have, that you draw up legislation —

Michelle Madoff:

I have, sir.

The Chair:

Just a second; you don't know what I'm talking about. Draw up legislation, introduce it next Monday, that we here in the City of Pittsburgh abolish the Zoo, the Aviary and the Conservatory. And I will wait to see that introduced next Monday. I'm sure you're going to do that, and I know that you have the courage to do that.

Michelle Madoff:

Mr. Woods, may I respond? How many times have we introduced that bill? From memory. Two or three times?

Mr. Perry:

I know the subject has been brought up —

Michelle Madoff:

We had the Commissioners here.
We had the representatives here.

The Chair:

We have never, ever, had a piece of legislation come from you saying that you want to have this Council and the City of Pittsburgh abolish —

Michelle Madoff:

Before you got here there was a bill.

The Chair:

Well I'll be waiting on Monday.

Michelle Madoff:

Would you dig out my bill and bring it on the table for Monday, please? We'll re-introduce it again.

The Chair:

If it's not there you will introduce one.

Michelle Madoff:

It's here we just have to bring it back. It's several years old, when it was defeated.

The Chair:

Fine.

Mr. Givens:

You know, everything comes down to money eventually. I think what the Mayor is trying to say to the paramedics; he presented his 1987 budget and there's no money in that budget for increase raises without going back into the process as this Council is doing right now. I've indicated sometimes and

maybe the wisdom of my thought of just about a year ago when I had placed before this Council on our 1986 budget and pleaded with you Councilpeople to put monies aside, that it was the first time in the 12 years as a Councilman, the Mayor nor this Council put money aside for those union contracts that were not negotiated by the time our budget was finalized. We have put hitherto before \$4, \$5, \$6 million aside for those pending contracts knowing that some of them did run over into the next year. I plead again that this Council do likewise if the contracts are not finalized.

We are talking about 1986 appropriations. If you look back into what Michelle was talking about, into that third party and non-residents, you'll find that there's been some \$2 million, and keep in mind that the total operations salary-wise for the paramedics is somewhere around \$3.3 million, minus premiums. But over some \$2 million has been generated in third party monies that are available, apparently, and have been available, and \$1 million in non-residential, meaning people who live outside the City and are not City residents. They have to pay in our EMS-type of service.

So, you take that all into consideration, and the fact that this Council last year appropriated that money for the EMS, minus the new contract, but even today as we sit here through 31 December, there will be a surplus just in salaries alone of \$200,000 as depicted by Mr. O'Malley and our financial staff. A quarter of a million dollars sitting there not being used. So, you have to ask yourself the question why.

When I hear and listen to the radio, the communication radio of Public Safety over the weekend, and I see policemen being sent out on first-

responder, it's the first time to my knowledge that has happened, we take out a police unit. When I see fire companies that have been going out and are still going out and I think that's the debate this Council must take up. Do we want to take a piece of equipment, fire equipment, out of service for first-responder? That's a question that must be debated in this Council and I think we should get into that very heavily.

When I hear that it took almost 17 minutes to get out to Lincoln Place, the 31st Ward of the City of Pittsburgh, and they feel that they're the forgotten ward out there, but 17 minutes for a response. When I hear the diagnosis come in that they thought it was a seizure when in fact it was a heart attack. When I came in today and had numerous phone calls, the people who had honest, deep concern of what was happening to their safety and their loved-ones, then I think that has to be addressed. When I look at how well the Administration is doing the job of trying to fill in, and they probably are doing a good job, but when I look at 20 supervisors and three doctors, the backbone of this paramedical force, when I look at what we budgeted for, almost 198 positions in this budget, there's 198 people that aren't out there doing what the people and this Council had budgeted for last year.

When I see 16 units, 14 of them being able to move people back and forth and how they're going to be manned. When I ask for a Chief Administrator from this City, a Chief Administrator, our Zoning Administrator to be down here on the Wednesday post agenda, and they said he can't, and the reasons he cannot be, and that's Jim Brown, a fine, wonderful person, he's been working 12 on and 12 off on this first-responder. So, this thing is snowballing back into the laps of both the Administration and how

our government is to function and how we're to function with that government.

It's been brought up before. This City is self-insured. I can remember when the firemen didn't respond properly, as the Courts were going to decree, and as our Solicitor had come up to us and we had a lawsuit because our fire companies didn't respond with the right equipment and the right personnel, this City was sued some \$10, 12 million in a warehouse fire in the Strip District some years ago. I remember sitting in this Council wanting to fight that case and, in fact, we the taxpayers spent over \$1 million to settle that case, that court case, out of court.

Now, in the 11 years that I've been a Councilman, not one piece of legislation has come before this Councilman for settlements out of court or court settlements in regards to our paramedics. And that's an unbelievable record. To think that they get some 60,000 service calls per year; they are being used, and used very heavily, within this particular metropolitan area and within the City of Pittsburgh.

When I look at the EMS record nationally, they tell us that we are among the three best emergency medical services in the country. All we have to look at is a good ball team, lose the quarterback, like we're going to lose some of the cadre out of this EMS. These people are probably the most highly trained that we have in our nation. They have to be, and equipped. And thanks to the Mayor and thanks to this Council and the people of the City of Pittsburgh who have supported this. Well, they're apparently not supporting the endeavors that are going underway right now, and all this happened when this Council was not in session.

We heard the threat of strike but

strike never came about until over this weekend, this past Thanksgiving holiday weekend. When they indicated that they would come back to work, and I listened and my staff, each of us had a channel of news and read all the newspaper accounts, listened to all the radios because that was the only source of information that I had. All of those indicated one thing, that the paramedics have been locked-out, which gives them certain benefits if that is decreed. But in the meantime, how long can 20 supervisors and 3 doctors and first-responders and you and I who might have gone to a good first-aid course, responding to 60,000 service calls in a year's time? And the fact is, that system cannot maintain itself, I feel. And as a result, Mr. President, I feel that the Administration must come in and brief this Councilman as well as others this Wednesday, number one priority, on how the system is working, how many people they have. I've been reading newspaper accounts; I no longer, as a public elected official, can read newspaper accounts. I must get the facts and get the facts right from these individuals who are in fact going out there and doing the response. I'll make an estimation on my own as an elected official how long I think this group can even go out and stay 12 on and 12 off because I have done that myself in my own lifetime in a combative situation which these people are in right now. And you can only do that for a certain period of time before your efficiency level goes down to zero. And by this Wednesday, we'll be coming up fairly well to approaching that particular at least half-way mark on my personal experiences. I know what these people are going through. So, I want them to come in and say what is going to happen. And we must get to that negotiating table and we must bring the parties together and we must emphasize upon the Mayor that what is happening out there is

jeopardizing if just one life in the City of Pittsburgh I, as an elected official, will not sit silent while one person is being jeopardized in our community. If I would do so, then I should not be a Councilman of this City, and I want to be a Councilman and I want to serve our people, and the only way I can do that is to have those facts presented to me this Wednesday so I'll so direct the Chief Clerk to advise the appropriate people, the Mayor, the people from the EMS, I want the union people here to hear their side of the story and not on the union bargaining negotiations but the force itself and how they're protecting or people out there. I definitely want to hear from our Legal Department as to whether or not Councilmatic action can be taken. We definitely need people from the Public Safety Department, Glenn Cannon especially, and not the person that might be acting as the Chief. I want Mr. Kennedy here also and I want them to come up, Mike, prepared with charts and graphs. I don't want to see a T.V. picture of what their system is operating out there from a command post down at 911. If they want me to go down to the communication center and explain to me how their system is working, then I'll be happy to move our post agenda, with the permission of the President, down to 911. But I have to see how this thing is working and they have to explain to me that we're protecting the people of the City of Pittsburgh or I think this Council might enjoin the public in asking for the courts to order the EMS people back to work while this negotiation goes forward.

Thank you.

Michelle Madoff:

Mr. President and members of Council who are still left, my whole diatribe on the Zoo, the Aviary and the Conservatory and the monies that are being generated that are my own

legislation and work that I did on third party payees and non-City residents for the paramedics was to direct not so much intervention on negotiations between union, management and labor, but the fact that we, as members of Council, will have to address in the budget, the upcoming budget, as to what we're going to vote for for dollars. And when I said let's give the zoo to the County, I was not joking. One of my colleagues who I always thought of as a good friend of mine, I still think he was joshing and I'd like to think he was, said I belong in a padded cell. I think Mr. Pollock does not quite understand that what I was saying was, you do not sell the Zoo to the Mayor. He asked if they were going to buy it; I didn't suggest that they were going to buy it. We're going to make it a gift. We're going to be very generous. We're going to say, "Look what we're going to do for you. We're going to give you this wonderful zoo and all this revenue and the thing that makes us a wonderful community." And furthermore, as citizens and taxpayers, we're going to continue paying our county taxes. We're not selling it, Mark; we're giving it away. We're donating it as a gift and my bill will say that on Monday. Please, Mr. Perry, I want to go over the wording of that bill.

Michelle Madoff moved to approve the Minutes of Monday, October 27, 1986.

Mr. Givens seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Monday, December 8, 1986

No. 47

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, December 8, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Depasquale presented

No. 1913 Resolution providing for the issuance of a warrant in favor of Thomas A. Mekis & Sons, Inc. (Kenneth L. Wolf, Vice President) in the amount of

\$5,386.08 in payment of Extra Work, being in addition to the original contract price of \$3,414,646.20 on Controller's Contract No. 27595, furnished for the benefit of the City in connection with the Reconstruction of the Baum Boulevard Bridge, payable from the Baum Boulevard Bridge Trust Fund. (PRIOR APPROVAL GRANTED)

Also,

No. 1914 Resolution providing for the issuance of a warrant in favor of Conn Construction Company (Converse Branscome, Jr., President) in the amount of \$26,260.00 in payment of Extra Work, being in addition to the original contract price of \$2,536,174.03 on Controller's Contract No. 27563, furnished for the benefit of the City in connection with the Reconstruction of the Pennsylvania Avenue Bridge, payable from the Pennsylvania Avenue Bridge Trust Fund. (PRIOR APPROVAL GRANTED)

Also,

No. 1915 Resolution providing for the issuance of a warrant in favor of Middle States Construction Company (John R. Daley, President) in the amount of \$28,575.00 in payment of Extra Work, being in addition to the original contract price of \$5,698,500.00 on Controller's Contract No. 26815, furnished for the benefit of the City in connection with the Reconstruction of the Bloomfield Bridge - Phase III, payable from the Bloomfield Bridge Trust Fund. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Also,

No. 1916 Resolution amending Resolution No. 954, effective November 3, 1986, entitled: "Providing for a Contract or Contracts for the Rehabilitation of the Charles Anderson Bridge over Boundary Street; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation and providing for the payment of the cost thereof," by reducing the total construction costs by \$5,000.00 from \$2,727,000.00 to \$2,722,000.00 and providing for an Agreement with the B & O Railroad for flagmen services, chargeable to and payable from Code Account EC 86-12.

Also,

No. 1917 Resolution further amending Resolution No. 1218, effective December 31, 1979 as amended by Resolution No. 78, effective February 22, 1980, as amended by Resolution No. 430, effective June 6, 1984, as amended by Resolution No. 990, effective November 20, 1984, as amended by Resolution No. 17, effective February 6, 1985, as amended by Resolution Nno. 1262, effective December 31, 1985, entitled: "A Resolution providing for a Contract or Contracts for Engineering and Architectural Services for Grant Street and Liberty Avenue Design, Fort Pitt to Liberty, Sixth Avenue to Twelfth Street; and providing for payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation," by increasing the total project allocation by \$97,000.00, from \$968,633.92 to \$1,065,633.92.

Also,

No. 1918 Resolution Repealing Resolution No. 195, effective March 19, 1986, entitled: "Providing for a Contract or Contracts, or use of existing Contracts for the Renovation of Senior Citizen Centers, including but not limited to Cowley and Perry South at a cost not to exceed \$248,500.00, chargeable to and payable from Code Account EC 86-66."

Also,

No. 1919 Resolution providing for a Contract or Contracts, or use of existing Contracts for repairs at various park facilities at a cost not to exceed \$53,000.00, chargeable to and payable from Code Account EC 86-59.

Also,

No. 1920 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Renovation of Mary Schenley Fountain Area of Schenely Park at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account EC 85-28.

Also,

No. 1921 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Renovation of Cowley Goettman Recreation and Senior Citizen Center at a cost not to exceed \$420,000.00, chargeable to and payable from Code Account EC 86-66 - \$140,000.00 and Code Account CDEC 86-42 - \$280,000.00.

Also,

No. 1922 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with

the In-Depth Inspection of the Shadeland Avenue Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation at a cost not to exceed \$85,000.00, chargeable to and payable from Code Account EC 86-10.

Also,

No. 1923 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the In-Depth Inspection of the Meadow Street Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation at a cost not to exceed \$35,000.00, chargeable to and payable from Code Account EC 86-10.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Givens presented

No. 1924 Resolution providing for the issuance of a warrant in favor of Sanitary Systems Service, Inc. in the amount of \$836.17 in payment for services rendered at the Lincoln Place Pump Station, chargeable to and payable from Code Account No. 1612-1, Repairs.

Also,

No. 1925 Resolution transferring the sum of \$10,000.00 from Code Account No. 1167, Wages, Regular Employees, Department of Environmental Services to Code Account No. 1160-1, Premium Pay, Department of Environmental Services. The transfer is necessary to cover the additional overtime cost resulting from double holidays that occurred last month and

paying for safety classes and paramedic service, and also for the unforeseen cost that arises from breakdowns for this time of year when refuse increases.

Which were read and referred to the Committee on Finance.

Also,

No. 1926 Resolution granting unto Sidney Properties Associates, their successors and assigns, the privilege and license to construct, maintain, and use at their own cost and expense, encroachments on a portion of the sidewalk of Sidney Street and Wrights Way in the 6th Ward of the City of Pittsburgh.

Also,

No. 1927 Resolution vacating the southerly 20' portion of Risby Avenue from Gladys Avenue to a point 135.29' eastwardly in the 19th Ward of the City of Pittsburgh. —(SPONSORED BY MR. GIVENS)
(IN RECEIPT OF A VALID PETITION REQUESTING A PUBLIC HEARING)

Which were read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1928 Resolution amending Sections 549.02(j), 549.05(b), 549.06(a), 549.07(a), of Ordinance No. 30 of 1981, effective September 22, 1981, which established the Residential Parking Permit Program, so as to change definitions and departmental responsibilities.

Also,

No. 1929 Resolution amending Section 10 of Resolution No. 234 of 1986 entitled, "Providing for filing of a

Community Development Statement by the City of Pittsburgh with HUD for a grant in connection with 1986 CDBG Program", so as to amend several line items for an increase in grant by \$2,857,000.00 from \$13,920,000.00 to \$16,777,000.00.

Also,

No. 1930 Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with HUD for a grant in connection with the 1987 CDBG Program. Providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signatures; creating a special trust fund in connection with the project; providing for the deposit of the funds in a bank account and providing for the payment of expenses within categories.

Also,

No. 1931 Resolution authorizing the submission of enterprise development applications with the Commonwealth of Pennsylvania Department of Community Affairs for financial assistance and area designation. In 1983 the Pa. Dept. of Community Affairs designated the Lower North Side and East Liberty as Enterprise Development areas; and allocated \$250,000.00 for those areas; and in 1985 these areas were again designated and allocated \$550,000.00; and in 1986 these areas were again designated and allocated \$450,000.00.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 1932 Resolution initiating a

three-phase program gifting ownership, management and maintenance of the Pittsburgh Zoo, the Pittsburgh Aviary, and Phipps Conservatory.
(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

Also,

No. 1933 Resolution providing for an Agreement of Lease with the Urban Redevelopment Authority of Pittsburgh for the Leasing of the Firehouse structure located at 3343 Penn Avenue, Pittsburgh, PA 15201, to be used by the Department of Parks and Recreation effective January 1, 1987 through December 31, 1987, for the term of one year in the amount of \$1.00, and with the option thereafter to renew said lease on a month-to-month basis until said structure has been sold by the Urban Redevelopment Authority, chargeable to and payable from Code Account 1128, Miscellaneous Services, Department of General Services.

Also,

No. 1934 Communication from George Jacoby, Director, Department of General Services, requesting authorization for Ron Schuler and James Jones to attend the Water Mechanics Seminar in Saint Paul, Minnesota from December 8-12, 1986, at a cost not to exceed \$1,650.00, payable from Code Account No. 1128. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on General Services.

Mrs. Masloff presented

No. 1935 Resolution Repealing Resolution No. 1036 of 1986, effective November 24, 1986 entitled:

"Transferring \$17,185.37 in appropriations from Capital Budget Project PR86-02, to Project PR86-04, in the Department of Parks and Recreation."

Also,

No. 1936 Resolution further amending Resolution No. 1283 of 1985, as amended, entitled: "Resolution adopting & approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 thru 1991 Capital Improvement Program," by increasing a line item and by decreasing a line item to purchase play equipment for the various park facilities.

Also,

No. 1937 Resolution authorizing the Mayor and the Director of Parks and Recreation to enter into agreements in individual amounts of \$10,000.00 or less with various performers, instructors, artists and other persons with specialized skills in connection with the Department's various recreational and instructional programs. Funds for said agreements to be encumbered from various Code Accounts within the Department of Parks and Recreation.

Also,

No. 1938 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Robert Jones to attend the Revenue Sources Management School at Oglebay Park, Wheeling, West Virginia from March 8-12, 1987, at a cost not to exceed \$600.00, payable from Code Account No. 1801.

Also,

No. 1939 Communication from

Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Dan Dziubek, Rupert Friday, Howard Watts and Barbara Balbot to attend the Annual Conference of the Pennsylvania Alliance for Environmental Education in Williamsport, Pennsylvania from November 14-16, 1986, at a cost not to exceed \$610.00, payable from the Frick Park Trust Fund. Permission is also requested for use of a City vehicle. (PRIOR APPROVAL GRANTED)

Also,

No. 1940 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Leonard Duncan, Polly Herron and J. Roosevelt Jackson to attend and supervise the Hot Shot Basketball Finals in Cleveland, Ohio from November 21-22, 1986, at no cost to the City. (PRIOR APPROVAL GRANTED)

Also,

No. 1941 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Susan E. Davis to take members of the Pittsburgh Goal Getters Swimming Team to compete in the 1986 Jr. Orange Bowl Sports Ability Games in Miami, Florida from November 20-23, 1986, at no cost to the City. (PRIOR APPROVAL GRANTED)

Also,

No. 1942 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting authorization for Joseph N. Cogley to attend the National Association for Olmsted Parks conference from November 6-9, 1986, at a cost not to exceed \$1,000.00, payable from Code

Account No. 1837. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 1943 Resolution providing for the issuance of warrants in the amount of \$55,000.00 in full settlement of a claim for personal injuries by Shawn Schaffman, a minor by Ronald Schaffman, his father and natural guardian, Staci Schaffman, a minor, by Ronald Schaffman, her father and natural guardian, Ronald Schaffman, in his own right and Valerie Schaffman, his wife arising from an accident involving a collision of the amusement train known as the Zoo train at the City of Pittsburgh Zoo, payable from Code Account No. 46, Judgments.

Also,

No. 1944 Resolution providing for the issuance of a warrant in the amount of \$75,000.00, payable to Helen E. Shealey and William E. Shealey, c/o Richard E. Kronz, Esquire, 1111 Manor Building, Pittsburgh, PA 15219, and Joseph E. Breman, 300 Grant Building, Pittsburgh, PA 15219 in full settlement of a claim arising as a result of the death of Kevin Westley Shealey on July 13, 1982, Kevin Shealey drowned while swimming at the Kennard Pool, Reed and Kirkpatrick Streets, payable from Code Account No. 46, Judgments.

Also,

No. 1945 Resolution providing for the issuance of a \$1,177.12 warrant in favor of Robert Silbaugh in settlement of claim for automobile damage by a City Refuse vehicle, payable from Code Account No. 46, Judgments. This vehicle

was parked on Smallman Street when struck by the City of Pittsburgh refuse vehicle.

Also,

No. 1946 Resolution providing for the issuance of a \$1,510.61 warrant in favor of William D. Black in full settlement of claim for automobile damage by a Department of Parks and Recreation vehicle on September 25, 1986 at Mount Pleasant Road, payable from Code Account No. 46, Judgments.

Also,

No. 1947 Resolution providing for the issuance of a warrant to Port Authority of Allegheny County, in the amount of \$77,098.31 in full settlement of claim for damages, arising from an accident between a City of Pittsburgh refuse truck with a PAT bus on March 5, 1984, occurring in the Borough of Turtle Creek, payable from Code Account No. 46, Judgments.

Also,

No. 1948 Resolution providing for the issuance of a warrant to Anna Weakland (passenger on the bus), in the amount of \$16,500.00 in full settlement of claim for personal injuries, arising from an accident involving a City of Pittsburgh refuse truck with a PAT bus, alleging that the City refuse truck was driven through a red traffic signal and smashed into the left center side of the Port Authority bus on March 5, 1984 in the Borough of Turtle Creek, payable from Code Account No. 46, Judgments.

Also,

No. 1949 Resolution providing for the issuance of a warrant to Gladys Koch (passenger on the bus), in the amount of \$7,000.00 in full settlement of claim for

personal injuries, arising from an accident involving a City of Pittsburgh refuse truck with a PAT bus, alleging that the City refuse truck was driven through a red traffic signal and smashed into the left center side of the Port Authority bus on March 5, 1984 in the Borough of Turtle Creek, payable from Code Account No. 46, Judgments.

Also,

No. 1950 Resolution providing for the issuance of \$1,042.50 warrant in favor of Richard & Sandra Hanson in full settlement of claim for sidewalk damage by City tree roots, payable from Code Account No. 46, Judgments. Investigation indicates that twenty-one blocks of sidewalk measuring 417 sq. ft. adjoining the property at 6501 Bartlett Street were cracked and raised due to the growth of roots of City trees located adjacent to the sidewalk.

Also,

No. 1951 Resolution providing for the issuance of a \$1,500.00 warrant in favor of Kevin A. King in settlement of claim for auto damage and missing articles at the City Auto Pound, payable from Code Account No. 46, Judgments. Investigation indicates that Kevin King's Chevrolet Monte Carlo was impounded and towed to the City of Pittsburgh Auto Pound. The following day Mr. King arrived and found his car had been vandalized. The dash board was severely damaged and stereo removed. He also claimed that several personal items were missing from his automobile.

Also,

No. 1952 Resolution providing for the issuance of a \$1,123.26 warrant in favor of American Rent A Ride, Inc. in full settlement of claim for automobile damage, payable from Code Account No.

46, Judgments. Investigation discloses that Russell Weber, City employee assigned to the Dept. of Parks and Recreation, was driving an automobile leased by the City of Pgh. from American Rent A Ride, Inc. on Forward Avenue. Mr. Weber states that he was stopped at the intersection of Forward and Shady when he was struck at the left front fender by an automobile whose operator refused to identify himself and immediately pulled away from the scene.

Also,

No. 1953 Resolution providing for the issuance of a warrant in favor of The Greater Pittsburgh Chamber of Commerce, Three Gateway Center, Pittsburgh, PA 15222, in the amount of \$1,000.00 in payment for participation of Mina Gerall in the Leadership Pittsburgh Program, chargeable to and payable from Code Account 1017, Miscellaneous Services, Mayor's Office.

Also,

No. 1954 Resolution amending Resolution No. 662 of 1986 approved July 30, 1986 and effective August 4, 1986 entitled: "Providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania in connection with the Job Training for General Assistance (GA) Welfare Recipients Program funded through the Commonwealth of Pennsylvania General Fund; . . . and providing for the deposit of funds into the Job Training Partnership Act (JTPA) bank account," by increasing the amount available for subcontractor agreements from \$10,000.00 to \$200,000.00, chargeable to and payable from the JTPA-1 and/or the JTPA-2 Trust Funds, federal funds. This amendment is necessary because our grant from the Commonwealth of Pennsylvania has been increased by \$100,000.00.

Also,

No. 1955 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for consulting services to assist the City of Pittsburgh as a Washington, D.C. liaison and to work with various agencies of government for the benefit of the City of Pittsburgh, at an aggregate cost not to exceed \$25,000.00, payable from Code Account No. 1017, Mayor's Office, Miscellaneous Services.

Also,

No. 1956 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for consulting services to assist the City of Pittsburgh in acquiring State assistance and fundings and to work with various agencies of Government for the benefit of the City of Pittsburgh, at an aggregate cost not to exceed \$25,000.00, payable from Code Account No. 1017, Miscellaneous Services, Mayor's Office.

Also,

No. 1957 Resolution authorizing the City of Pittsburgh to accept the gift of the Buhl Science Center located in the 22nd Ward of the City of Pittsburgh.

Also,

No. 1958 Resolution authorizing the City of Pittsburgh to enter into an Agreement with Carnegie Institute for a term of 25 years at a rental rate of \$1.00 per year.

Also,

No. 1959 Resolution Repealing Resolution, approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Also,

No. 1960 Resolution providing for the filing of a petition or petitions for the sale of certain properties, acquired at tax sales in accordance with Act No. 171 of 1984. Properties are in various Wards of the City of Pittsburgh.

Which were severally read and referred to the Committee on Finance.

Mr. Pollock presented

No. 1961 Resolution transferring \$70,000.00 from Code Account 1977, Utilities to Code Account 1978 Chemicals, Purification and Pumping Division, Department of Water. This transfer is needed because of an increase useage of chemicals during water treatment. Unusual river conditions and construction work which caused a break in a 96" line at the Treatment Plant contributed to this increase.

Also,

No. 1962 Resolution transferring \$10,000.00 from Code Account 1922, Miscellaneous Services, Administration Division to Code Account 1974, Repairs, Purification and Pumping Division, Department of Water. This transfer is needed to pay for repairs to pump motors at Herron Hill Pumping Station and circuit board repairs at the Treatment Plant.

Which were read and referred to the Committee on Finance.

Mr. Wagner presented

No. 1963 Resolution transferring the sum of \$200,000.00 from Code Account 1400, Public Safety Administration Salaries & Wages to Code Account 1443, Police Salaries & Wages, Bureau of Police, Department of Public

Safety. This tranfer is necessary to cover Police payroll for the remainder of 1986.

Also,

No. 1964 Resolution transferring the sum of \$50,000.00 from Code Account 1400, Public Safety Administration Salaries & Wages to Code Account 1470-9, Firemen Worker's Compensation, Bureau of Fire, Department of Public Safety. This transfer is necessary to cover Worker's Compensation payroll for the remainder of 1986.

Also,

No. 1965 Resolution transferring the sum of \$30,000.00 from Code Account 1400, Public Safety Administration Salaries & Wages to Code Account 1402-9, Administration Workmen's Compensation, Bureau of Administration, Department of Public Safety. This transfer is necessary to cover Workmen's Compensation payroll for the remainder of 1986.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1966 Resolution providing for the entering of a Contract or Contracts or the use of existing Contract or Contracts for the purchase of uniforms for Firefighters of the City of Pittsburgh, Department of Public Safety, at a cost not to exceed \$600,000.00, chargeable to and payable from Code Account 1402, Bureau of Administration, Department of Public Safety.

Which was read and referred to the Committee on General Services.

Also,

No. 1967 An Ordinance amending and supplementing the Pittsburgh Code, Title Seven - Business Licensing Article IX - Amusement Businesses, Chapter 777 - Mechanical Amusement Devices, Section 777.05 - License Fees, by changing the date for payment of late fee and by providing for a reduced fee in the event of a license effective after June 30. (a) The annual fee for the issuance of a license to maintain a mechanical or electronic amusement device, except juke boxes, shall be based upon \$135.00 for each such machine. For each device licensed after the sixth month of the license year, the fee shall be \$75.00. (b) The annual fee for a juke box shall be \$85.00. (c) A late fee of \$50.00 shall be assessed for each premises if license is not obtained prior to (February 1) January 1, of each year.

Also,

No. 1968 An Ordinance amending the Pittsburgh Code, Title Ten-Building, the title page by repealing the reference to "Article I - Administration." Chapter 1007-BOCA Basic/National Building Code Adoption, Section 119.0-Certificate of Use & Occupancy, Subsection 119.3-Existing Buildings, to provide for requirement of Certificate of Use & Occupancy; Section 2004.0-Permits & Certificates of Inspection, Subsection 2004.1-General, to provide for electrical permits; Section 103.4-Rehabilitation, providing for use of Article 25, Repair, Alteration, Addition To & Change of Use of Existing Buildings; Section 116.2-Shop Drawings, providing for review of shop drawings by the design professional; Appendix A Reference Standards, providing for the enforcement of the 1987 NEC as of January 2, 1987; and Chapter 1011 BOCA/National Existing Structures Code Adoption, Section ES100.2-Scope, by repealing ES100.2(3)-Rehabilitation.

Also,

No. 1969 An Ordinance supplementing the Pittsburgh Code, Title Ten - Building, Article I - Administration, Chapter 1007 - BOCA Basic/National Building Code Adoption, Section 114.0 - Fees, Subsection 114.3.1 - Fee Schedule, by adding Paragraph 114.3.1(k) - Microfilming of Plans.

Which were severally read and referred to the Committee on Public Safety.

The Chair presented

No. 1970 Petition from the residents of the City of Pittsburgh, requesting a public hearing on the issue of district elections, Bill No's. 1840, 1818 and 1721. (This petition is invalid in accordance with Section 320(a) of the Home Rule Charter, which states that a petition requesting a public hearing on pending legislation must be presented within three days of the introduction of the legislation).

Also,

No. 1971 Communication from Ronald C. Schmeiser, Director, Department of Finance, submitting the Market Value of securities pledged as collateral by City Depositories as of October 31, 1986.

Which were read, received and filed.

Michelle Madoff:

Why is the motion for a public hearing invalid?

The Chair:

It wasn't here within three days of the presentation of the legislation.

Michelle Madoff:

Bear with me a moment please. You mean that when we have a bill introduced somebody has to go out and get 25 signatures in three days?

The Chair:

Yes.

Michelle Madoff:

They don't have any time to get signatures?

The Chair:

Yes. Three days.

Michelle Madoff:

But any member of this Council at any time can request a public hearing on anything?

The Chair:

As long you have five votes.

Michelle Madoff:

I make a motion to request a public hearing.

The Chair:

Michelle, it doesn't matter. I set the public hearings. You make a motion to have a public hearing.

Michelle Madoff:

Yes.

The Chair:

Make that motion when we get into that business. After we get rid of all the other business.

Michelle Madoff:

I'm opposed.

Mr. Grabowski moved to suspend Rule 8 by providing for consideration of all the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1972

Report of the Committee on Finance for December 3, 1986 transmitting sundry ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1721

An Ordinance entitled, "An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question as to whether or not said voters are in favor of amending the Home Rule Charter to provide for the election of City Council Members: 1) Nine by district only or 2) a combination of seven by district and two at large." —
-(SPONSORED BY MICHELLE MADOFF)
(AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

I apologize, Mr. Chairman, I thought that was the subject matter and I — it is very easy to confuse the two and I think you can understand why.

I repeat, on Friday the Chairman distributed a memo that said that today I was going to amend my original proposal. I would like Council to understand and the public, why I introduced the three original motions, which were originally nine at large, nine by district and seven-two.

My motivation was simply to get the ball rolling and to get to talk about it because, I feel it's very unnecessary to have the public go out and get signatures in inclement weather. I've been there. I have run as an independent. I've gotten 20,000 signatures, 16,000, 14,000 signatures and it is not an easy or pleasant job, and it is an unnecessary job.

My original reasons for putting the three on the ballot without realizing that there would be any confusion was that Tom Murphy in my discussions with him and subsequently the bill that came through signed by the Governor indicated that no matter what was on the bill the bill that got the highest number of votes would be the one that would go into effect.

In subsequent reviewing of the situation it becomes very apparent that there could be confusion because on each of the proposed recommendations for how Council should be elected there must be a yes or a no, and it is conceivable there could be more noes than yeses and it is so confusing that people may not even go to the polls, or those going to the polls may not even vote on it because they don't understand it.

So, that we are eminently clear, Michelle Madoff doesn't give a darn about her own situation as to where she will be running from. I don't care about any deals that have been cut in the seven divisions that have been divided. I have a copy of an outline provided to me as to what the present seven districts are that would be on the seven-four proposal, whether there are nine districts. I feel confident that there would be a place for me to run from and I don't know what's going to happen by 1989. I don't know if I'll be married, I don't if I'll be dead or they'll both be one in the same.

In don't think we should be worrying about 1989. From our personal point view we ought to do what is morally and ethically correct. In line with that, may I remind this esteem body and the reporters that when Mr. Flaherty introduced election by district it would never have been discussed in this Council without Michelle Madoff's second, and the vote was at that time, seven-two. Councilman Flaherty and Michelle Madoff was the only two voting to support election by district.

May I also remind everyone that the black community who are feeling disenfranchised through their leadership testified at hearings that they opposed election by district. May I remind the public that we have had a black President of this Council who served with distinction, Mr. Mason. We've had some very fine members of Council and that frequently we cannot be blamed for problems that are beyond our control, but in the spirit and in the moral responsibility of this body when 25 percent or more of our people who live in the city do not have any representation on this body I felt that I had no choice in the 1985 election but to support Elmer McClung. I did a terrible thing he was a Republican, isn't that terrible?

The situation was that I felt that is was a matter of principal before party. I have put my mouth, my money, and my efforts in supporting Mr. McClung at that point, because he was the only game in town. For that, I was publicly chastised, if you have forgotten ladies and gentlemen. Before more than 1,600 members of the Democratic Party at a dinner a fund raising dinner where Mr. Lucchino who ran four times against the party and I had remembered that got up and said and there are two people here that I must report are not supporting the entire democratic slate. These democrats who have never supported me and said and those two terrible people —

Mr. DePasquale:

Michelle, that's a political speech.

Michelle Madoff:

May I finish please, I have the floor —
Were Mr. Robinson and Michelle Madoff.

The Chair:

Michelle, back to the bill, please.

Michelle Madoff:

I am finished with my editorial.

The Chair:

Now, back to the bill.

Michelle Madoff:

I do think history plays a very important part in what happens. It is not funny.

The Chair:

Come on Michelle, back to the bill, please.

Michelle Madoff:

Mr. Pollock, I don't find this funny at all.

The Chair:

All right. He's not laughing at you.

Michelle Madoff:

I want everyone to know that I want this election to be based on the public having their vote. The public having an opportunity. But since I have been accused that everything I suggest which could be alternatives in case of election at large should continue I will make a motion to amend my bill and will put before this Council a motion to have nine by district as the only vote since the Mayor has said that would veto anything but two bills this in effect gives you two bills, because if it fails we remain as we are. I am recommending, I'm making it a formal motion.

The bill will read nine zip, nine by district only, and if I don't get elected because of that, so be it.

Mr. O'Malley seconded the motion.

Mrs. Masloff:

Are we voting on 1721?

The Chair:

Right.

Mrs. Masloff:

Are we allowed to make amendments? I thought the amendments had to be submitted. We ruled on that last week.

Michelle Madoff:

I submitted mine in writing.

The Chair:

We knew it. She has it in writing.

Mr. Grabowski:

Mr. President, point of order. The motion that is in writing does not do what Michelle suggested.

The Chair:

That's fine. That's fine.

Michelle Madoff:

Excuse me, you have the wrong one, because that's not the motion. You have the wrong motion in front of you. Here it is.

The Chair:

It's all nine by district. That's all the bill says. Now, --

Mrs. Masloff:

Yes, but originally it said nine at large.

Mr. Perry:

She's deleting a --

The Chair:

She's deleting.

Michelle Madoff:

It leaves my bill to say nothing but nine by district.

The Chair:

On the bill as amended.

Roll call vote.

Mr. DePasquale:

We already voted.

Michelle Madoff:

If I had had a bill you'd say —

The Chair:

Wait a minute. I'm running this meeting we're going to have a roll call vote on the bill as amended and we always start calling the roll, please continue.

Mrs. Masloff:

Point of order.

The Chair:

No, read the bill. Just keep calling the roll. You had your chance to have your point. Call the roll.

Mrs. Masloff:

I don't understand the bill and I'm not going to vote.

The Chair:

Fine. You abstain.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mr. Pollock
Mr. Givens Mr. Wagner
Michelle Madoff

AYES 5 NOES 3

VOTING NO:

Mr. Grabowski
Mr. O'Malley
Mr. Woods
(Pres't)

(MRS. MASLOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 1818

An Ordinance entitled, "An Ordinance directing the Board of Elections to place before the qualified voters a referendum question as to whether they are in favor of amending the Home Rule Charter to provide for the election of City Council: (1) Nine at Large or (2) a combination of Seven By District and Four At Large."

—(SPONSORED BY MR. O'MALLEY)

Which was read.

Michelle Madoff:

As the President of Council distributed a memo on Friday which was accurate alerting all members of Council that I proposed today to amend my original legislation.

The Chair:

Hold it. On this bill.

Michelle Madoff:

On this bill.

The Chair:

This is the wrong bill, Michelle. This is Mr. O'Malley's bill. He wants to recommit it. We don't want to vote on it today.

Mr. O'Malley moved to recommit Bill No. 1818.

Mr. Givens seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Woods
	(Pres't)

AYES 6 NOES 3

VOTING NO:

Michelle Madoff
Mr. Pollock
Mr. Wagner

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Also, with an affirmative recommendation,

Bill No. 1840

An Ordinance entitled, "An Ordinance directing the Allegheny County Board of Elections of place before the qualified voters a referendum question as to whether they are in favor of amending the Home Rule Charter to provide for the election of City Council Members: 1) Nine at Large or 2) Seven by District." —(SPONSORED BY MR. WOODS)

Which was read.

Mr. DePasquale:

Are these open for discussion?

The Chair:

Yes.

Mr. DePasquale:

Mr. President, if I may, without getting dramatic I honestly believe we should have two questions on the ballot in regards to Council whether it be nine at large, nine-district, seven-district, two at large, seven-district, four at large, as long as we don't confuse the people any more than they're confused now. I certainly know I am confused and I think everyone else is. I'm insisting and I'm going to ask my colleagues to please go along with to go with two questions on the ballot in regards to Council's make-up. Obviously, nine at large as it is now. That's my preference and that's what I'm going to campaign for.

Let's have one other question on it, whichever one it is but no more than two.

The Chair:

You have no choice at this time, because the only question that would be on the ballot if you defeat this bill is going to be nine by district. You're just

automatically changing this. That's the way Mrs. Madoff amended her bill. Just one question it says nine by district.

Mr. Pollock:

Well, it's only one question on the ballot but it's a yes, no. If you vote no on it then it stays the way it is. So, it's still that option.

The Chair:

You're saying — right now I would ask all of you to vote in favor of this bill, seven by district and nine at large, give the voters a real choice, because right now all you have on that ballot is nine by district, and I know like Michelle said she'll run anywhere and we're all — if we want reform, this is reform.

Mr. DePasquale

The amendment failed.

The Chair:

We passed it.

The Chair:

Can I get a little order, please.

I listened to everybody speak and now I'd like to say something. Presently, you only have on the ballot nine by district, if that's the only question that's what you're going to have nine by district. We are changing the form of government. That's the way I interpret it and you have your interpretation Mark, and I'll let you have the floor when you raise your hand and when I'm done. But, if we are for reform let's vote seven by district that's real reform. This government, this City has slipt by 300,000 people in the last twenty years.

We just reapportioned our

Legislators in 1982 from nine to seven representing this City because of the loss of population. Then what's with decreasing this Council by two just like we did with the State Legislators.

Mrs. Masloff:

May I ask a question?

The Chair:

Yes.

Mrs. Masloff:

To clarify, Bill No. 1722 will only say nine by district — the ballot will say nine by district?

The Chair:

Right.

Mrs. Masloff:

The issue is not clear. The voters will not know that they have an option. In your bill in the Bill 1840 there will be two questions on the ballot at large or seven by district. So, they will have an option and it will be clear that there is an option.

The Chair:

Yes, exactly right.

Mrs. Masloff:

Okay, that's what I wanted to know.

Michelle Madoff:

Mr. President, I believe that if seven zero goes on the ballot seven by district there's no doubt that it will pass I've even said that I would bet a thousand dollars, but the two groups for equality

who have been leading the charge to have the form of government changed not only when minority representation, but they feel have their elected official in a district behold to them whether one agrees with that perspective or not have asked me to introduce --

The Chair:

Hold it, please. This is for Council and Council Aides.

Michelle Madoff:

-- Have asked me to introduce the bill nine by district. One of the reasons that they have convinced me, and I believe the Mayor and some editorials have stated that nine by district is better than seven by district is that by seven by district they will only get two minority representatives whereas, under nine I believe is how the School is drawn and that doesn't even include Mount Oliver we have three minorities, and they feel why should they have two when they can have three, and furthermore, there would be a broader representation and may I remind you that the population I believe is Cleveland or Columbus I'm not positive which of the two cities had something like 18 Councilmembers and less population than we had.

We're not talking about adding, we're not talking about deleting, we're talking today about possibly having two alternatives and as Sophie Masloff is questioning by putting nine by district only that the public may not understand that there is another alternative. The way to do that is on this present bill is for someone other than myself, because I'm staying with the motion I've made is to delete the seven-two and just go with nine at large then you have two choices.

The Chair:

It's my bill, and I would resent very much if anyone would try to reamend it.

Michelle Madoff:

I know, but everybody reamends my bills. You may resent it but we have the right to amend your bill.

The Chair:

It's my bill and I think even though your two groups came to you and ask you that they're in favor of nine by district and some suburban editorial writers write and say how we should elect our government. You believe them, if you want to make your decision by editorials that's fine. I do not.

Michelle Madoff:

Mr. Chairman.

The Chair:

Now, wait a minute. Let me get done. You've mentioned the editorial writers not me.

Michelle Madoff:

I said some editorials. May I respond?

The Chair:

No. I'm not done yet and then Mr. Pollock has the floor.

Michelle Madoff:

But you made an accusation I think I have a right to respond to. I don't think the people that have come to me, and asked me for nine by district live in the suburbs. You would agree that they live in the city.

The Chair:

I didn't say that.

Michelle Madoff:

Okay. I just wanted to get that perfectly clear.

The Chair:

I said the suburbanites editorial writers. You know what I said.

Michelle Madoff:

You included both together.

Mr. Pollock:

Before we vote on your bill the current status is that we'll have on the ballot the one question of that Council shall consist of nine members all elected by district?

The Chair:

Right.

Mr. Pollock:

That will have a yes or no option. Now, I feel to see -- you made the statement that that means we're changing the form of government; why do you think that the voters aren't intelligent enough to know the difference between yes or no?

The Chair:

I agree with you Mr. Pollock I was mistaken, but I also agree that the voters are intelligent enough to choose between three questions; do you agree with that?

Mr. Pollock:

Well, I agree they are but the problem --

The Chair:

Thank you.

Mr. Pollock:

You're not going to let me answer?

The Chair:

Go ahead.

Mr. Pollock:

The problem with that is that the people who want to change the system will have two choices in which to go to as opposed to the ones who want to keep it the same will have just one.

The Chair:

Mark, don't you understand. I've had and I'm sure a lot you have had a number of numerous phone calls and people stopping and staying that they are for seven by district over any other system. A lot more than the nine by district. I mean if anyone here can say that they had phone calls in reverse of that is not telling the truth. Everywhere I go. I've been a lot of places this weekend, people are saying I love that idea they had talk shows and they're saying that they like it.

Michelle Madoff:

The suburbanites are the talk shows.

The Chair:

Editorial writers, so I'm asking you all of you to vote for this piece of

legislation it gives the voters a real choice all at large the present system, seven by district, and we will also have the third choice Michelle's bill nine by district.

Mr. DePasquale

To that respect, why don't we amend it to have seven at large and seven district? We're asking the voters to say they want nine at large or only seven by district, I mean seven by district automatically is a winner.

Michelle Madoff:

That's right.

Mr. DePasquale:

If I'm voting out there and they say there going to cut Council by two I'm going for the by district. Whereas, if you say seven at large, at large has a shot.

Michelle Madoff:

Amend the bill Mr. DePasquale.

Mr. DePasquale:

I don't want to fail human nature I'm telling you if you go in with nine at large or seven by district, seven by district is a sure winner.

The Chair:

If we'll all afraid of our jobs like you said you were not.

Michelle Madoff:

That's right.

The Chair:

And we're for real reform, we want to cut \$300,000 out of a million. What is

our budget Mike, a \$1.6 million or something?

Mr. Perry:

Yes.

The Chair:

\$1.6 million, and if we had shown that we really are for cost cutting let's go seven by district.

Mr. Grabowski:

Are we going to vote on all the bills in Finance at one time?

The Chair:

No, we're going to finish this and then we're voting on all the other bills. Any other discussion?

Michelle Madoff:

Mr. Chairman, I don't think that my colleagues quite understand what is happening here. You were saying with all do respect, you were saying that it is your bill and you would resent anyone amending it.

The Chair:

That's right.

Michelle Madoff:

However, there's nothing wrong with any member of this esteem body having the courage to say this is not for you Mr. DePasquale. There's nothing wrong with any member of this Council having the courage to amend this bill that says nine at large to seven by district to only nine at large and nine by district, and then we vote on it even though Mr. Woods said he would be offended if you did it, you have the right

to do it and we vote on it.

Mr. Givens:

I thought from the very beginning that when government wanted to be changed that we should have done it in the proper way through the Home Rule Charter. I advocated that back five years ago in 1981, 1982, when it came before us. There are people now that are asking to have a public hearing on this issue. Even at a public hearing most of the viewpoints of our citizens will not be adhere to. I begged the Council back then and I beg it now and if they had done that we would have had a proper form. The Home Rule Charter was created for us and our local municipalities to do what we felt we could do to change our government, and the state for the first time gave us that permission in 1976.

The people of the City of Pittsburgh voted for that and we deviated from that and because we did deviate from it a vote did come up a couple of years ago it was defeated. Again, I plead to everyone of good conscience if they would use the Home Rule Charter Study Commission.

People said well that will take too long. Yes, it will take a little bit long it took a long time for the Home Rule Charter to be adopted by this City. Though it sat there for 18 months almost two years and debated the issue. I don't think we should go into any form of government with a quick vote from this Council and a quick vote from the people going to the polls. Because like in any referendum question the people who have the most money are going to win, generally speaking.

I'm not going to speak until everyone is sitting, Mr. President. Mr. President, I will not speak anymore until

everyone is seated in their seats. It's very disturbing.

The Chair:

Michelle. Go ahead, Dick.

Mr. Givens:

Either leave the room or sit down.

So, as a result this action has not been taken but I want it on the record how I felt and I think if we would have gone that particular route that we would have the form of government that the majority of people want within this City.

Going back Mr. President now to your nine-seven combination I have heard the same thing that you have heard. When I even look at our legislative district while going in that reapportionment from nine down to seven and I looked at and just talked to Stevie Grabowski right here some of the towns it doesn't even include just the City of Pittsburgh. Our seven Legislators right now go out into Crafton, Millvale, Homestead, Munhall, and a portion of Penn Hills and probably a few other areas, and you have to look at when you divide the City by nine look at our School Board and divide it by seven at least you have some continuity of economic development and other things that might happen within the City. You give downtown, you give the whole Oakland area, you give the whole Lawrenceville, Strip, Bloomfield put it into one particular area if you do that by nine it's going to be very tight.

So, I agree with the seven. I also agree with the nine by district because again that's what many groups also want and I think the majority of people as Jeep DePasquale had indicated want us to remain at nine at large, and I don't know how it's going to go but from what

I've heard just out there among the people not special interests groups, but among the people out there I'm hearing at large again.

Nor did we have a court case and everything else going, and just remember regardless of what we do here in this Council today the people any group of people any special interests groups can come in with 14,000 signatures, 14,000 signatures and be able to amend anything that the Governor has given us the opportunity to do. Either we can do it in this Council or the groups out there can do it on their own with 14,000 signatures. It's very easy with a small group of people to get 14,000 signatures and not only what we have here in this Council that we vote on today or on future dates along with the citizens groups that participate out there.

Again, I think it's not going to be a type of government that we want. We should have gone to the Study Commission, but I'll support that nine-seven.

Mr. Wagner:

Mr. President, Members of Council, last Wednesday when this came up for an initial vote I voted for the seven by district, and I said at that time that the reason for voting for seven by district was that with all the alternatives in front of us at that time we had seven-four, seven-two, nine-0, seven-0, and nine by district.

I said that it appeared as if that was the best form proposed for various reasons. Number one it gave the alternative of district elections to the voters with a referendum question and number two it cut the cost government. It actually said that we as Councilmembers maybe we don't need nine maybe we can work with seven. I

think the seven-0 theory is a good idea. It's a recent idea but it's one that I'm not going to support here on the final vote.

The reason why is that I also indicated last Wednesday I can only vote for one of these referendums one and one only. To vote for more than one in the affirmative is to confuse the issue. The issue that's been in front of us for five years has been district elections versus at large elections.

Sooner or later we have to find out what the public feels, we have to find out if they want to keep it, we have to let the two questions stand on their own in front of the voters. Let the voters decide. Maybe, the at large system will be retained, maybe it will be changed to by district.

No matter what happens I don't think that takes the seven-0 theory and throws it away. If it ends up being nine by district, fine. If it ends up being nine at large, fine, if that's what the voters choose. After that decision is made there still is the potential that this Council can turn around and say its nine by district let's cut it to seven and that can be done at a later time or the same holds true if it remains at large.

So, the issue before us I think is that we need to come out with a clear cut referendum. Let the voters decide the time has come to take the issue out of the hands of the politicians.

The Chair:

I'd like to say one thing Jack. I know you voted for that on Wednesday and I thank you for that, and I think that the voters are much more intelligent than we give them credit for. If you have three questions on the ballot everybody in this room seems to understand because that's why they're

here, and there's the average voter sitting right out here, seven by district, nine by district, nine at large, that's not very very hard to understand. That is very simple. There's only three questions. The only one's that are confused and try to make confusing are the people that will not bend, who do not want to offer a fair choice, and have all three of them questions on there. They want nine by district and that's that.

Mr. Givens:

Yes, I'd like to indicate that if you do not vote for this bill that's in front of us right now that we will only have one thing before us and that's nine by district then what I'm hearing from the average person in the streets of the City of Pittsburgh will be denying them the biggest choice of ever and that is what I'm hearing just what I'm hearing not my particular choice, but what I'm hearing the nine at large.

To defeat this means you're going to defeat nine at large, and the average person in the City of Pittsburgh apparently feels that they still like nine at large, and I have been speaking since this debate has been underway. It's not enough of time. I'd still like to go back to that Study Commission.

But, we need the nine at large and I'm hearing a lot about seven by district, and one of the confusing things out there many people that I've been talking with over the last couple of weeks have indicated when they go by nine by district, nine by district they think still that they're going to be able to vote for nine Council people and they can only vote for one Council person. When you go by district you can only vote for one of your nine Council people right now. Do the people want that going by district elections? I don't think so. I still think they want to vote by nine. The only way

they can do that is to keep the present system that we have nine at large.

Michelle Madoff:

I'm trying to get for this Council is that I'm always the last to hear what goes on but eventually the news does filter down eventhough private little arrangements are made. One of the things I forgot to mention is that comments have been made to the effect that while I'm supporting nine-0, nine by district or nine at large as options, that secretly I really want seven-four, and that that was my position because that would guarantee me a seat. The fact remains that seven-four did not come from Michelle Madoff that came from the Mayor.

The Chair:

But, that issue's dead now, Michelle.

Michelle Madoff:

May I finish, please? That came from the Mayor not from this Council and it came from the Mayor through Dan Pellegrini to each of us and we were each asked to keep it in confidence that we were being approached to petition the courts if we would have a unanimous agreement of this Council.

This business that we're going to seven-0 was if we didn't go for seven-four will show you and we'll go to seven-0. The pie is already divided up ladies and gentlemen. If you'd like a copy of the division of the pie I would be happy to supply it for you. The way the pie was divided up is that on assumption and I am not not saying this is true, but on the assumption that Mr. DePasquale was not going to run again there's an area for Mr. Givens, one for Mr. Grabowski who had moved to his five acres in Lincoln

Place. Mr. O'Malley has already got his place picked. Mr. Wagner's got the 19th Ward, and Mark and I —

Mr. Givens:

We're supposed to be talking about —

Michelle Madoff:

I'm talking about the —

The Chair:

Michelle please, I think you're way off base, honest to goodness you are.

Michelle Madoff:

I'm not off base because if Mr. Forty Minutes here would go on we'd have no problem with it being out of order. The point is, that I don't think the issue of whether we're going to be around or even wanting to seek election whether you even want to seek election in '89 is the issue. The issue is on seven by district we are not giving the minorities the opportunity to have three seats. We are really giving them because I looked at the division only two opportunities in order to have those two opportunities the germandering of the City of the black community was so bizarre in order to come up with 60 percent of minorities in a district and there are two districts allocated for minorities. The chances of anybody who is not a minority winning in the other five districts is nil and that really dilutes the opportunity for minorities to have representation. It is better with three as the School Board has proven.

I don't believe that the correct way to go is seven-0, but I believe, I don't believe, I know as Mr. DePasquale stated very truthfully and honestly you don't have to be a genius to know that if

seven-0 goes on the ballot it wins because if we pass it here now don't even bother putting any tax burden on the taxpayers because people vote for less government. That's the choice. Do we want to go with seven-0 right now? Let's not have anything else, that's it, its over we save everybody the trouble. If you want to go with the referendum on the ballot you go with the nine by district, because if nine by district fails it stays with nine at large, and I understand from what I've heard and I don't get my information through the media because the Mayor doesn't communicate certainly not with me that he will veto anything but two items on the ballot. I don't know whose spoken with the Mayor, maybe his decision is that he will go with nine by district or seven by district.

I think that with the Mayor coming up with seven-four he's now changing his mind, which is his prerogative and it also allows us to change our mind, which is our prerogative.

The nine-0, and I believe the public is intelligent enough to understand that if you leave it with nine-0 nothing is added, that you've got either nine by district or nine at large should it fail.

If you put the seven-0 on if you vote for this bill you are assuring that the Council will be seven by district and you will have no more than two minorities on that Council. Just think of that and then vote your conscience.

The Chair:

Roll call vote?

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Woods (Pres't)

AYES 6 NOES 3

VOTING NO:

Michelle Madoff
Mr. Pollock
Mr. Wagner

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1861

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Flying Tiger Line Inc. in the amount of \$689.14, in payment of freight charges for the Pittsburgh Zoo provided without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 1863

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of James L. Smith Insurance Agency in the amount of \$4,500.00 in payment for General Liability Insurance for Senior Citizens Center Services Contract furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1867

A Resolution entitled, "Resolution providing for the issuance of a \$1,447.50 warrant in favor of Joseph & Rose Redondo in settlement of claim for property damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 1868

A Resolution entitled, "Resolution providing for the issuance of a \$968.05 warrant in favor of Duquesne Light Company in settlement of claims for property damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the

bills passed finally.

Also, Bill No. 1871, entitled, "Resolution amending and supplementing Resolution No. 573, approved July 2, 1986 and effective July 10, 1986, entitled: 'Resolution providing for an Agreement or Agreements with the Prudential Insurance Company of America, Prudential Asset Management Company, Inc., for professional services in connection with the administration of the Deferred Compensation Plan for the City of Pittsburgh personnel at no cost to the City', by also authorizing the City to enter into Agreements with various providers."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mr. O'Malley
Mr. Givens Mr. Pollock
Mr. Grabowski Mr. Wagner
Michelle Madoff Mr. Woods
Mrs. Masloff (Pres't)
AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1872, entitled, "Resolution authorizing the Mayor and Director of Finance to enter into a Professional Services Agreements or Agreements with a professional services contractor to conduct field surveys to ascertain the completeness and accuracy of City wage tax data files at a total cost not to exceed Twenty-Five Thousand Dollars (\$25,000.00) chargeable to and payable from Code Account 10, Accounts Payable - Prior Years, Index Code 001008."

Mr. Grabowski: Which was read. Regarding Bill 1872, which appropriates \$25,000 to a consultant to analyze our system of collecting the wage tax. A few weeks ago we had a meeting several of us in the Conference Room with some Firefighters and they suggested a simple directory which the Postal Services might accomplish the same objective here at a cost of \$125 or whatever the directory cost, but it may be an alternative that the Finance Department did not consider, and I would recommend that this bill be recommitted.

Michelle Madoff seconded the motion.

Mr. O'Malley: Discussion. This is not the Treasurer's legislation, Steve. This is my legislation, and the reason this piece of legislation was introduced is to conduct what we call a mini-census. I did a small survey in my neighborhood and out of eight houses there was three families that weren't registered on our tax rolls. All of them within an excess of \$25,000 income.

So, all this legislation is to do is to conduct a small survey to find out if indeed, all the people that live in the City of Pittsburgh are registered and that they're paying their fair share of taxes, and this is particularly true in areas like the Shadyside area, and the Oakland area where it is a very transit neighborhood, and you have a great deal of turn over in people.

Mr. Grabowski:

Well, as far as -- I didn't realize that this was Councilman O'Malley's bill. Treasurer Schillo explained it as though it was his and he intended this was just the beginning if it proved to be successful they would like to expand it throughout, but I think that we should at least recommit it Councilman O'Malley and discuss this. You know last week it sort of got sidetracked with all the debate on the Council elections.

So, perhaps you know it would be worthwhile if we could recommit at least for one week, and discuss it a little further, and then if we should agree that this is the best way to go then proceed.

Mr. O'Malley:

Okay, I have no problems with that.

Michelle Madoff:

May I also point out that there's a book called the Cole book. Every City has one. Ours is called the Cole book that lists every house, every resident, every phone number, and I think we own that book. I own an old one from the last election, but I'm sure the City has a Cole Directory. Do we have one?

The Chair:

Yes.

Michelle Madoff:

I know they're all over the City, we have a Cole Directory. It would be very easy for the Finance Department to use that as a base to check to see if people are registered and letters to go out to everybody saying if you're not there will be whatever penalty. Isn't there a big fine if you don't register that you have income in the City?

Mr. O'Malley:

No, I think the Cole registry is just like the telephone book your name is in there if you want it in there. It's not necessary --

Michelle Madoff:

No, I don't think so.

Mr. O'Malley:

I know the Cole registry doesn't --

Michelle Madoff:

I can't hear both of you, I'm sorry.

The Chair:

If you're unlisted, he's right. If you don't have a listed phone number you're not in there.

Michelle Madoff:

Excuse me, this is not by listed phone, this is by street and I believe they have everybody -- you have people who are not listed in the phone book, that's how I find them I go to the Cole book.

Mr. DePasquale:

Doesn't everybody that's registered in the City of Pittsburgh obviously have to fill out an IRS Form and don't you also

have to fill out a Wage Tax Form? It's been that way the last three or four years.

The Chair:

See, we can get the income tax return statement from the State, but we are not allowed to get them from the Federal government.

Michelle Madoff:

And some people work out of the state, you're right.

I think the \$25,000 may be a very reasonable figure for the return. It's an excellent bill.

The Chair:

Motion to recommit.

All in favor signify by saying aye?

Which motion prevailed.

Also,

Bill No. 1873

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, for sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 1874

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1876

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Commonwealth of Pennsylvania Department of Environmental Resources, Certification, Licensing and Bonding, 6th Floor, Fulton Building, P.O. Box 2063, Harrisburg, PA 17120 in the amount of \$1,400.00 in payment for Certification of the Water Treatment Plant Laboratory, furnished for the benefit of the City in connection with Pennsylvania Safe Drinking Water Act of May 1, 1984 and providing for the payment thereof."

Which was read.

Also,

Bill No. 1877

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Allegheny County Sanitary Authority, 3300 Preble Avenue, Pittsburgh, PA 15233 in the amount of \$5,400.00 in payment for a permit fee furnished for the discharge of residue at the Water Treatment Plant and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1902

A Resolution entitled, "Resolution transferring the sum of One Hundred-Thousand Dollars (\$100,000.00) from Code Account 41, Index Code (004101) Refunds-Real Estate Tax, Department of Finance to Code Account 1461-1, Index Code (146118), Premium Pay, Bureau of Fire, Department of Public Safety. This transfer is necessary to cover premium payroll for the remainder of 1986."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

The Chair:

Before we move on Mike, I'd like to have a motion from somebody that the two pieces of legislation that will be on the referendum questions become effective January 2, 1987.

Mr. O'Malley:

So moved.

Michelle Madoff:

I had this in front of me and I didn't understand what it was.

Mr. Givens seconded the motion.

Which motion prevailed.

Mr. Givens presented

Bill No. 1973

Report of the Committee on Public Works for December 3, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1854

A Resolution entitled, "Resolution vacating a portion of Brighton Road between Taylor Avenue and Sampsonia Street in the 22nd Ward, City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens:

Mr. President, on Bill 1854 there

was a motion before me on Wednesday to hold that bill and it was seconded and voted upon, and I see it in the records here for final action. So, I'd like to then recommit that bill back to Committee, and if I would ask my fellow colleagues to do this.

This is a very comprehensive bill and I wanted some time to discuss it with the Urban Redevelopment Authority, Tom Mistick and Sons. It's a correction of the office building adjacent to the parking lot. There has been no opposition on it, but I want time just to look at that particular bill. I did ask for that motion so that bill should have never come forward.

Mr. Grabowski:

Mr. President, I move that we reconsider the vote on Bill 1854.

Mr. Pollock seconded the motion.

Which motion prevailed.

Mr. Givens moved to recommit Bill 1854.

Michelle Madoff seconded the motion.

Which motion prevailed.

Michelle Madoff presented

Bill No. 1974

Report of the Committee on General Services for December 3, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1890

A Resolution entitled, "Resolution further amending Resolution No. 95, effective February 17, 1986, as amended by Resolution No. 870, effective October 6, 1986, entitled 'Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the rental and repair of equipment in connection with the City of Pittsburgh's Capital Construction Division, and providing for the payment of the cost thereof,' by increasing the allocation by an additional \$60,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff:

Point of Order, Mr. Chairman.

The Chair:

What's your point.

Michelle Madoff:

Earlier there was a motion to waive Rule 8 to have all the bills come up instead of next Wednesday this Wednesday, could someone please tell me why?

The Chair:

Because we always shut down the last week, you know we only have to meet 50 weeks a year so we want to get all of our legislation passed so we can take that last week off.

Michelle Madoff:

The reason I'm asking because I'm trying to decide whether I have to rush on my bill with the Zoo, Aviary, and Conservatory whether I can wait until the first of the year. I'm having trouble getting numbers because of the computer business. You know we're having a hearing on that.

Mrs. Masloff presented

Bill No. 1975

Report of the Committee on Parks and Recreation for December 3, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1864

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Perry Hilltop Association for Successful Enterprises, Inc. (PHASE) located at 2131 Perrysville Avenue for the partial rehabilitations of a building located at 2115 Perrysville

Avenue for the use as a Senior Citizen Center at a cost not to exceed \$65,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. DePasquale presented

Bill No. 1976

Report of the Committee on Engineering and Construction for December 3, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1852

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Landscape Architectural

Services in connection with the Design of a Handicapped Accessible Nature Trail at Frick Park; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Givens presents

Bill No. 1977 WHEREAS, the Federal Revenue Sharing entitlements to local governments will be eliminated entirely in 1987; and

WHEREAS, this elimination will result in an \$11 million dollar revenue loss to the City of Pittsburgh; and

WHEREAS, the negative impact on Pittsburgh's future is great and threatens vital areas such as public/private development, infrastructure rehabilitation, new construction projects,

jobs, and public safety; and

WHEREAS, this revenue loss will severely hamper the City's ability to economically progress into the next decade; and

WHEREAS, the future of the City of Pittsburgh is at a crossroads because local tax dollars will not be sufficient to replace the federal revenue sharing loss to our City; and

WHEREAS, Representative Fred Trello has advocated the establishment of a Commonwealth Municipal Revenue - Sharing Act, to be introduced in 1987 which will provide an annual distribution of certain Commonwealth revenues to municipalities for any use authorized by the corporate powers of the municipality;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh urges the General Assembly and the Governor-elect to join together and support the enactment of the Commonwealth Municipal Revenue - Sharing Act.

Mr. Givens moved the adopt the resolution:

Mr. O'Malley seconded the motion.

Mr. Grabowski:

Mr. President, I'm sure that Councilman Givens has good intentions in introducing this legislation, but I don't feel comfortable in voting for some tax plan or revenue sharing plan that some representative in Harrisburg is going to propose when I don't know anything about it. It could entail perhaps -- there has been talk about an additional one percent sales tax. We might be supporting a proposal such as that and I'm really not sure, so I just do not feel comfortable in

supporting this resolution.

Mr. Givens:

If I could explain. The revenue sharing bill is a bill that has been introduced into the Senate called Bill 1304 dated November 17, 1986. Just a couple of weeks ago the Senate has also introduced this particular bill. The bill then would charge that one-tenth of one percent would be taken out of all revenues collected under Act 111. If you're familiar with that the Tax Reform Code of 1971 Steve. So, it's from all taxes under that Act 111. It's not a particular tax, and only one-tenth of that monies would be turned back into the municipal revenue sharing bill that the State is going enact.

The maximum amount apparently that can be gained from that Mr. President is about \$180 million and I agree with Steve that possibly we might look at one percent on the sales tax, but then just hitting one particular tax.

This tax I think encompasses almost all the taxes that the State does collect from various sources, and to be returned to the local municipality. I don't favor this one over the sales tax. Seven years ago all Councilmembers that have been here since that time met at our Council table including the Commissioner's all the representatives from both the Senate and the State of Representatives, along with our Mayor and all of our Councilmembers. We sat right here in this very thing and discussed what you're just mentioning Steve.

The fact remains this municipality among others in the State are losing that revenue sharing and of course naturally the City of Pittsburgh is hit the hardest with \$11 million some dollars. When we look at losing 150 police officers from

our force the Mayor doesn't want to cut that out, and we're going to lose probably some 78 firemen. You can see the direct impact that this is having on us.

So, for us to vote for this particular bill or anything else that might come out we're encouraging them to move forward to give our municipality relief. If it comes up the other way Steve on the sales tax I'd be happy to support that too. Whichever, avenue they go forward to and try to give us some money, but we need it, and we need desparately, and we need today. We don't need it in 1988 or 1989.

The cut in our budget is happening right now and this bill came up once before in the Senate they're working with it. You know when the federal government did what they did Mr. President when they cut revenue sharing you know what they told the States we want government spending to be taken from the federal government and put into State government fine, but the State government didn't act as quickly as they possibly could, and we have that void that we're all being caught into right now.

Mr. DePasquale:

Mr. Givens, if I may. Mr. Grabowski's question was, does that Act include an increase in the sale tax?

The Chair:

It does not. That's what I wanted to know. It's just going to share some of the money the surplus that they have; is that correct?

Mr. Givens:

Well, it's all monies under Act 111.

The Chair:

It's not going to increase the taxes?

Mr. Givens:

No, well I can't say that it will not be by State sometime in the future.

The Chair:

But right now this bill does not have a tax increase in it?

Mr. Givens:

No, as far to my knowledge no, it's only a percentage. What they're saying is that the State government's real formula to the municipal act of the tax reform code will, in fact, take one-tenth of all monies collected and give it back to the various municipalities. That one-tenth in talking to Freddie will equate out in this municipality. We don't exactly but somewhere around that \$11 or \$12 million or less that we loss.

The Chair:

Roll call vote.

Mr. Givens:

Remember, right now before we vote there is nothing before our State Representatives to vote on, no type of revenue sharing, one percent sales tax or anything else. This is the only bill to generate monies for the City of Pittsburgh within the next year. Remember we need help and we need it desparately.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	(Pres't)

AYES 7 NOES 2

VOTING NO:

Mr. Grabowski
Mrs. Masloff

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Pollock:

Something very brief. I think we would be remiss if we did not note the passing of a dear friend. On Friday went I went to lunch I saw the sign saying that after 75 years the Colonnade is now closed and that has been almost like a second court house to many people. You can go over there any time, lunch time or even breakfast and find judges and attorney's and business people and merchants and so forth, and it's a great loss to us and I hope somehow it can be rebought.

Mr. DePasquale:

I missed something here.

The Chair:

The Colonnade closed.

Mrs. Masloff:

The Colonnade in the Union Trust Building closed suddenly on Friday.

And on the motion of Mrs. Masloff

Council adjourned.

Municipal Record

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Monday, December 15, 1986

No. 48

Municipal Record

ONE-HUNDRED

TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, December 15, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Pollock presented

No. 1978 An Ordinance
supplementing the Pittsburgh Code, Title
Six, Conduct, Article I, Regulated Rights
and Actions, Chapter 601, Public Order,

by granting an exception of refuse placed on a holiday. —(SPONSORED BY MR. POLLOCK)

Which was read and referred to the Committee on Public Works.

Mr. Pollock moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

The Chair presented

No. 1979 Petition from the residents, property owners, and business owners of Allegheny West, City of Pittsburgh, requesting a public hearing before City Council concerning the Zoning Board of Adjustment's decision re: Zone Case 347 of 1986, granting special acceptance in proposed occupancy of 922 Western Avenue, 22nd Ward, to a floral academy. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1980

Report of the Committee on Finance for December 10, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1889

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Spinello Construction Company (Charles DiNardo, Vice President) in the amount of \$2,015.50 in payment of Extra Work, being in addition to the original contract price of \$208,292.50 on Controller's Contract No. 27831, furnished for the benefit of the City in connection with the Repaving of Penn Avenue - Phase I; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1899

A Resolution entitled, "Resolution providing for the issuance to Emma Meskunas, c/o Samuel R. Sciallo, Esquire, 1706 Law & Finance Building, Pittsburgh, PA 15219, in the amount of \$1,480.88 in full settlement of a claim for injuries sustained and for the payment thereof."

Which was read.

Also,

Bill No. 1900

A Resolution entitled, "Resolution authorizing the periodic issuance of warrants in favor of the Commonwealth of Pennsylvania to pay the City of Pittsburgh JTPA Program share of the statewide on-line computer system cost for the period July 1, 1986 through June 30, 1987. The Total of the warrants will not exceed Thirty-Five Thousand Two-Hundred Ninety-Nine Dollars (\$35,299.00)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1872

A Resolution entitled, "Resolution authorizing the Mayor and Director of Finance to enter into a Professional Services Agreements or Agreements with a professional services contractor to conduct field surveys to ascertain the

completeness and accuracy of City wage tax data files at a total costs not to exceed Twenty-Five Thousand Dollars (\$25,000.00) chargeable to and payable from Code Account 10, Accounts Payable Prior Years, Index Code 001008."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1913

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Thomas A. Mekis & Sons, Inc. (Kenneth L. Wolf, Vice President) in the amount of \$5,386.08 in payment of Extra Work, being in addition to the original contract price of \$3,414,646.20 on Controller's Contract No. 27595, furnished for the benefit of the City in connection with the Reconstruction of the Baum Boulevard Bridge; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1914

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Conn Construction Company (Converse Branscome, Jr., President) in the amount of \$26,260.00 in payment of Extra Work, being in addition to the original contract price of \$2,536,174.03 on Controller's Contract No. 27563, furnished for the benefit of the City in connection with the Reconstruction of the Pennsylvania Avenue Bridge; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1915

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Middle States Construction Company (John R. Daley, President) in the amount of \$28,575.00 in payment of Extra Work, being in addition to the original contract price of \$5,698,500.00 on Controller's Contract No. 26815, furnished for the benefit of the City in connection with the Reconstruction of the Bloomfield Bridge - Phase III, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1924

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sanitary Systems Service, Inc. in the amount of Eight Hundred Thirty Six Dollars and Seventeen Cents (\$836.17) in payment for services rendered at the

Lincoln Place Pump Station and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1925

A Resolution entitled, "Resolution transferring the sum of \$10,000.00 Ten Thousand Dollars, from Code Account No. 1167, Index Code Number 116707, Wages, Regular Employees, Department of Environmental Services to Code Account No. 1160-1, Index Code Number 116012, Premium Pay, Department of Environmental Services."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 1932

A Resolution entitled, "Resolution initiating a three-phase program gifting ownership, management and maintenance of the Pittsburgh Zoo, the Pittsburgh Aviary, and Phipps Conservatory." —
(SPONSORED BY MICHELLE MADOFF)

Which was read.

Michelle Madoff:

Mr. President, I have an amendment to my bill and I have copies for everybody. Did all members of Council get them? I'm not sure that they did. I found one on my desk when I got here.

The Chair:

Yes. Everybody has one.

Michelle Madoff:

May I respectfully ask that the City Clerk read my amendment to the bill? I'm having some trouble with my voice and I have another lengthy thing to read. Incidentally, for anybody listening in, some time ago I pointed out that my mike had deliberately been kept on a higher level than anyone else's. Now it's at the level of which I speak.

Mr. Perry:

"Motion to amend Bill 1932 by substituting a new bill which provides for the establishment of a limited partnership between the City of Pittsburgh and the County of Allegheny."

Michelle Madoff:

I want the whole bill read, please.

Mr. Perry:

"Resolution authorizing and directing the Mayor of the City of Pittsburgh and the Directors of the Departments of Finance and Parks and Recreation to enter into a limited partnership with the County of Allegheny for the ownership, management and maintenance for the Pittsburgh Zoo, the Pittsburgh Aviary and Phipps Conservatory.

Whereas, the cost to the City of Pittsburgh taxpayers for the debt service and operation of the Zoo, Aviary and Conservatory is about \$2.4 million per year; and

Whereas, for too long City residents, who also pay County taxes, have shouldered the cost of these

regional facilities while about two-thirds of all the patrons of the Zoo, Aviary and Conservatory are non-City residents who do not contribute to the maintenance of these cultural amenities except for the admission fee paid at the gate; and

Whereas, the County of Allegheny must recognize its responsibility to lend financial support to these regional facilities because of the benefits to the County residents as well as the fact that the County will again have a substantial surplus large enough to offer its employees a generous raise; and

Whereas, the City and County are in a Mexican stand-off because the County Commissioners know that the City has no intention to abandon and dismantle these wonderful regional facilities.

Be it resolved by the Council of the City of Pittsburgh as follows:

Section 1. The Mayor of the City of Pittsburgh and Directors of the Departments of Finance and Parks and Recreation are hereby authorized and directed to enter into a limited partnership with the County of Allegheny for the ownership, management and maintenance of the Pittsburgh Zoo, the Pittsburgh Aviary and Phipps Conservatory, which will provide for an equal sharing of all costs and revenues between the two governments and an equalizing of the City and non-City resident admission charge.

Section 2. In any agreement or agreements affecting the limited partnership outlined in Section 1, the City shall, as a limited partner, continue to supply all water and the maintenance of water and sewer lines for the Zoo, the Aviary and the Conservatory."

Mr. O'Malley seconded the motion.

Michelle Madoff:

Mr. President, I want you to know that I do not have sufficient influence with the Post Gazette, if I have any at all, to have had this survey taken coincidentally at the time that I was re-introducing the bill that I've introduced over the past eight years. For those of you who may not have seen the morning Post Gazette, and I almost missed it, it was brought to my attention by several other people, the Post Gazette did a survey and its titled, Arts Festival Called To Long Post Gazette Reader Survey" and they did it on a number of items, such as, do you agree with limiting the July 4th celebration to a nighttime only event, etc.

One of the questions was, should Allegheny County provide annual financial support for the Pittsburgh Zoo. The response was, 88 percent voted yes and only 12 percent voted no. I think that if this bill passes, you realize, of course, it is just a bill of intent; we cannot force anybody to do what I've now labeled a Mexican stand-off. But if the Administration and perhaps the President of this Council, in light of the fact that the debt burden on the City taxpayers, and I tell you this, it took me six weeks to get the numbers and we're going to be holding a post agenda on why it takes six weeks to get information in this City, but working 16 hours a day last week we found out that the figure was \$2,400,000 and that is, according to Mr. Buckley and Mr. Vaughn and John, on the low side. We're being very, very conservative and that \$2,400,000 is a very, very, very conservative figure. It is probably closer to \$2,750,000. Every year the City taxpayers, who are part of the County, pay the entire debt service. And I would ask that since its unfortunately only a recommendation to the Administration and to the Commissioners, that we send along the survey and I urge you to

support my bill in the amended form.

Mr. Wagner:

I don't say this faciously but what is a Mexican stand-off?

Michelle Madoff:

A Mexican stand-off is that each side knows that the other side won't give. The Commissioners know that there's no way that any rational, intelligent person is going to dismantle the Phipps Conservatory or the Aviary which is a historic building, and they know that if they don't want to give us a dime, they don't have to give us anything. But as long as they know that, we are in a deadlock. A Mexican stand-off means a deadlock.

Mr. Wagner:

Okay, could we possibly amend that and take out the words Mexican stand-off and insert the word deadlock?

Michelle Madoff:

I am never married to my words. Say deadlock; that would be fine. I think they understand the words Mexican stand-off but I accept the word deadlock as an amendment to my bill. Thank you.

Mr. Wagner:

I make a motion that we delete those words and amend it.

Michelle Madoff seconded the motion.

Which motion prevailed.

The Chair:

Question. Where was this study?

Michelle Madoff:

The survey was in this morning's paper, front page.

The Chair:

Okay, I thought you did a survey.

Michelle Madoff:

No, no. It was done by the Post Gazette.

The Chair:

That's worse.

Michelle Madoff:

I don't have enough money to do that kind of survey.

A thousand letters were received and I think that's a very good cross section of the public. I'm just suggesting that this go along with the bill.

The Chair:

I don't believe anything I read in the paper.

Mr. DePasquale:

First of all, a Mexican stand-off is when an immovable object versus an irresistible force.

I have no problem with this bill whatsoever if the County was willing to go along. But the County obviously is going to counter this proposal by saying that they want the City to share in the County facilities located in the City. They've already said the County Jail and other County facilities are located in the City of Pittsburgh. Obviously they're going to say that or else they're not going to go along with this. First of all,

they're not even going to consider it, and I hate to say that. But if they did, that would be their counter-proposal, that we share in the County facilities located in the City.

The Chair:

I agree with what you're saying but I really agree with Ms. Madoff, and I think we all do. The only thing the County gives us, the City taxpayers, is just what you said, the Jail. They give everyone else the parks, the roads, the swimming pools, you name it. They only thing we get for our tax dollars is the Jail and the Mini-Kane. That's my opinion.

Mrs. Masloff:

What I want to know, Michelle, is how can you enter into a partnership with people unless both sides agree? We don't have a partnership unless both sides agree.

Michelle Madoff:

I amended my bill, it was a substitute bill, based on the requests of my colleagues to make it voluntary. I believe, as Mr. DePasquale has stated, that we'll probably get the finger. He didn't put it that way but I think that's what we're going to get. Unfortunately, there's nothing else we can do. What I'm attempting to do is to appeal to the fairness and the justice and remember that I gave you a quote last week from Commissioner Pete Flaherty when he was Mayor of the City of Pittsburgh wherein he said that he was flabbergasted to look and find out that three quarters of the people using the Zoo were non-City residents and when he spoke to the then Commissioners, and I've spoken to him since, he described it this way. He said, "Watch, this is what they did, Michelle; they looked out the

window as if they didn't hear me."

Now, the idea of sitting on the Commissioner as a member of the County Commission, I believe that he should carry the banner. He's already stated so publicly that he had the same difficulty when he was Mayor of the City of Pittsburgh. All he needs is one more vote; it's certainly worth a try. What I'm saying is, let's try to see if the reasonable people will sit down and be just and fair and not just say, "Well, we give you transportation money and we give you the Jail." If City residents didn't ride the transportation system they wouldn't have much money either.

We've got to stop fighting each other. It's got to stop being us against them. It's got to be a joint effort and, of course, what we really need is metropolitan government.

Mr. Givens:

People might have thought Wednesday when I supported Michelle on that endeavor that I was a little bit crazy; I don't think I belong in the Zoo yet, though. But the thing that bothered me most of all was in reporting Council's actions, the bottom line from both myself and Michelle Madoff was not brought forward. We're not trying to get rid of the Zoo or the Aviary or the Conservatory; the fact was that we have a budget in front of us that we all have to decide upon and in that budget there is elimination of 150 policemen and a possibility of eight companies within the Fire Department. That is the reason that I voted in support of Michelle and that is why Michelle was indicating to all of us on Council. Sometimes we try to make a joke out of something like the Zoo; that wasn't the case. People want to read the true intent of why Michelle has been saying for a number of years to do away with that, only to put more

money into our own budget and support it so we can in this City support the things that we have to support just not only for our own residents but for the people outside who come into this City to the tune of almost 250,000 a year.

That's what we're trying to support in this bill and I still will give it that support until we come to some resolve within this Council and this budget deliberation. What Council approves, the Mayor has the right to veto, and we have the right to override that veto if we want to. But please, let's print why the Councilpeople, at least two of us who voted for it last Wednesday, the reason why we did vote for it. To me, it's uncalled for when a vote of this magnitude is made and the true story is not printed.

Mr. Pollock:

I just didn't want the record to not reveal that City residents do get a lot more than just — What did you say we all get? The Jail? I think we all know that the Airport is used by all of us at one time or another, the court system, and every restaurant and food establishment that sells food is inspected by the Health Department. So we all get those benefits too.

The Chair:

Sure, and we all pay County taxes also.

Mr. Pollock:

I'm just saying that we get more than just the Jail.

The Chair:

Right, and we pay County taxes for those things. I'm just saying the County does not have one recreation facility

within the City boundaries and if you can name one for me, please do so. Inform me of one recreation facility inside the City boundaries. Name one. Thank you very much.

Mr. Wagner:

In regard to Bill No. 1932, I did not support it last week and the reason why I did not support it was because I did not want to give away an asset that the City of Pittsburgh has in those three facilities to another entity of government in that we have funded those three facilities over the years and continue to today. As a matter of fact, we still have a construction project going on at the Zoo to make it a much more modern zoo.

Seeing that the language has been amended on Bill No. 1932 to a limited partnership, I will support it in that the City would continue to partially own it. And I suspect the language, what it infers, is that the County would partially own it and therefore both of us would share the debt of operating it above and beyond what the admission does not cover. Therefore, I will support this bill today.

I would further suggest, possibly though, that Council somehow attach to it some letter asking for a decision back from the Commissioners within a certain time frame as to what their feelings are on this because, obviously, they will decide and then we could take the issue from there and if there's need to do more, we could do more.

Mrs. Masloff:

My question hasn't been answered. How can you enter into a partnership with somebody until they agree to be a partner?

Michelle Madoff:

We're suggesting by this bill that you, Sophie, and I'd like you to be on this committee because you know more about these entities than anybody else, the President of Council, and the Administration sit down at a meeting. We invited the Commissioners last time; either their representatives or they themselves showed up, and sit down and try to ask them — this is only an intent; we can't mandate them to do it. But since we, as I said before, have a Commissioner who asked for the same thing when he was the Mayor of this City that indeed, at least it's worth another try. That's what we're doing.

I would like to comment on what Mr. Woods has said. Mr. Woods, you touched on the fact that the \$2,400,000, and it's probably closer to \$3,000,000, in services are given to all County residents but paid for only by City residents. Everybody forgets that the greatest attractions in our City and the Fourth of July and the Three Rivers Festival, all the entertainment that we provide at the Point — walk around and see how many people are from the suburbs. There probably are the same ratio that we always have, two-thirds of the people. And you're correct; we don't get any entertainment back at all from the County and we have to remember, and this is a fact, folks, that physicians of eminence who come to our hospitals, who are leaders in the profession, years ago were approached to move to the City and they said, "No way, I'm not coming to a dirty city." Now we've cleaned up the City; we don't have the visible pollution as badly as we did in the forties, when you turned the lights on in the afternoon.

And then, because there wasn't too much cultural activity as little as ten years ago, the new things that are coming on line are attracting people to

our area. We want to make the City a cultural center. We have the new cultural building going up for the ballet and we have the new omni theater and we have all these wonderful new things happening in the community. Why do you think people come to this community? Do you know the hospitals and the universities used to have to pay more money than other cities just to get people to come here?

We City residents, although we pay county taxes, are paying for all these wonderful amenities, the maintenance of these amenities. Let me ask you whether a suburbanite who has a burned child is going to take the child or themselves to a burn unit in the suburbs. Come on; you're going to go to the best burn unit perhaps in the country, right Downtown. And who is going to maintain the streets on those facilities? The City of Pittsburgh taxpayers. When you need a transplant, are you going to go out to some little hospital who services and does a good job in its community? Or are you going to go down to the university that has the special facilities? And who pays for maintaining those streets and providing police when people come to work and the bulk of the jobs are in the City of Pittsburgh?

Again, I don't want this to be an adversary position. I want it to be working with county residents, not us against them, and I hope it will not remain in a deadlock, a Mexican stand-off, and I would hope that the intent of this letter to give the Commissioners and the Administration an opportunity to sit down and at least talk about it is all this legislation does. It doesn't mandate anything, Sophie.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Givens:

Mr. President, I'd like my remarks from Wednesday to be brought forward.

(BEGINNING - MR. GIVENS' REMARKS
ON BILL NO. 1932 - WEDNESDAY,
12/10/86)

Mr. Givens:

When you look at the \$2.4 million per year in those particular services, that is awesome, the Zoo, the Conservatory and the Aviary. And historically when you go back, when Pete Flaherty said that he needed that help, he needed it. There is no doubt about that.

If you can go back a little bit further and say why did Pete Flaherty as Mayor of the City of Pittsburgh take over the Zoo, before the zoo started, as all good intentions start in any country,

Michelle, you've got to hear this. When Pete Flaherty was Mayor he didn't like, apparently, what was happening out in the Zoological Department, at that particular time the Zoological Department controlled the functions at the Zoo, and I assume the Aviary and the Conservatory, at that particular time. I'm not sure about that. Then the Mayor of the City of Pittsburgh took this function over and tried to streamline the operations out there. It was at that time I'm sure he realized the number of people that were coming in, it's the same, the ratio hasn't changed probably since the day the Zoo has gone in, so that's going back some 12 years or better, 12, 13, 14, 15 years if I can remember. And in a lot of cities the Zoological Commission, as many of them are, they run the Zoo totally independent of the local municipality. The San Diego Zoo, and maybe we can get someone to come up here and tell us about the San Diego Zoo, I think that's the way they function out there, and that's supposed to be reknowned, anyplace in the country, along with probably New York and Chicago, so why then should the City of Pittsburgh, if some other municipalities don't have that function, I'd like to hear that from somebody. Is there anybody in the audience that can address that issue?

This is a very important bill, \$2.4 million. Where is the Director of the Parks Department?

MICHELLE MADOFF COMMENTS

MRS. MASLOFF COMMENTS

Mr. Givens:

Well, I want to hear it publicly. Where is she? She's supposed to be here.

Mr. Perry:

I have no idea.

Mr. Givens:

Would you then, please, Mr. Clerk, go back and get someone?

MRS. MASLOFF COMMENTS

MICHELLE MADOFF COMMENTS

Mr. Givens:

Well, Mr. Chairman, this is what I mean. This is something that Louise Brown must be here to discuss. I then ask the Chief Clerk to call the Mayor's Office and ask Louise Brown please to come before this table and discussion on this bill be held until she gets here for the discussion and finalization of this bill.

If this Council would have voted for this thing today I'm sure Louise Brown would be up in our office and the Mayor would be up in our office and everybody else. This is a very serious proposition, and if some of you people don't think it's so serious, it is; it's \$2.4 million a year.

MICHELLE MADOFF COMMENTS

Mr. Givens:

I made a request, and I ask that we hold this bill until she can come forward.

MICHELLE MADOFF COMMENTS

Mr. Givens:

I want to know the impact this is going to have.

(END OF REMARKS)

The Chair:

Is there any discussion on the bill as amended?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 7 NOES 2

(MR. GRABOWSKI AND MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with an affirmative recommendation,

Bill No. 1943

A Resolution entitled, "Resolution providing for the issuance of warrants in the amount of \$55,000.00 in full settlement of a claim for personal injuries by Shawn Schaffman, a minor by Ronald Schaffman, his father and natural guardian; Staci Schaffman, a minor, by Ronald Schaffman, her father and natural guardian, Ronald Schaffman, in his own right and Valerie Schaffman, his wife and providing for the payment thereof as set forth in an order of court issued by the Court of Common Pleas."

Which was read.

Also,

Bill No. 1944

A Resolution entitled, "Resolution providing for the issuance of a warrant in

the amount of \$75,000.00, payable to Helen E. Shealey and William E. Shealey, c/o Richard E. Kronz, Esquire, 1111 Manor Building, Pittsburgh, PA 15219, and Joseph E. Breman, 300 Grant Building, Pittsburgh, PA 15219 in full settlement of a claim arising as a result of the death of Kevin Westley Shealey and providing for the payment thereof."

Which was read.

Also,

Bill No. 1945

A Resolution entitled, "Resolution providing for the issuance of a \$1,177.12 warrant in favor of Robert Silbaugh in settlement of claim for property damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 1946

A Resolution entitled, "Resolution providing for the issuance of a \$1,510.61 warrant in favor of William D. Black in full settlement of claim for automobile damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 1947

A Resolution entitled, "Resolution providing for the issuance of a warrant to Port Authority of Allegheny County, in the amount of \$77,098.31 in full settlement of claim for damages, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1948

A Resolution entitled, "Resolution providing for the issuance of a warrant to Anna Weakland, in the amount of \$16,500.00 in full settlement of claim for personal injuries, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1949

A Resolution entitled, "Resolution providing for the issuance of a warrant to Gladys Koch, in the amount of \$7,000.00 in full settlement of claim for personal injuries, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1950

A Resolution entitled, "Resolution providing for the issuance of a \$1,042.50 warrant in favor of Richard S. and Sandra Hanson in full settlement of claim for property damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 1951

A Resolution entitled, "Resolution providing for the issuance of a \$1,500.00 warrant in favor of Kevin A. King in settlement of claim for automobile damage and missing articles providing for the payment thereof."

Which was read.

Also,

Bill No. 1952

A Resolution entitled, "Resolution providing for the issuance of a \$1,123.26 warrant in favor of American Rent A Ride, Inc. in full settlement of claim for automobile damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 1953

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of The Greater Pittsburgh Chamber of Commerce, Three Gateway Center, Pittsburgh, PA 15222, in the amount of \$1,000.00 in payment for participation of Mina Gerall in the Leadership Pittsburgh Program."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1954

A Resolution entitled, "Resolution amending Resolution No. 662 of 1986 approved July 30, 1986 and effective August 4, 1986 entitled: 'Providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania in connection with the Job Training for General Assistance (GA) Welfare Recipients Program funded through the Commonwealth of Pennsylvania General Fund; providing for the execution of a Grant contract; authorizing the City of Pittsburgh to enter into agreements in conjunction with the Job Training for General Assistance (GA) Welfare Recipients Program; providing for required assurances; and providing for the deposit of funds into the Job Training Partnership Act (JTPA) bank account', by increasing the amount available for subcontractor agreements by \$100,000.00."

Which was read.

Also,

Bill No. 1955

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for consulting services to assist the City of Pittsburgh as a Washington, D.C. liaison and to work with various agencies of government for the benefit of the City of Pittsburgh, at an aggregate cost not to exceed \$25,000.00, payable from Code Account No. 1017, Mayor's Office, Miscellaneous Services, Index Code No. 101709."

Which was read.

Also,

Bill No. 1956

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for consulting services to assist the City of Pittsburgh in acquiring State assistance and fundings and to work with various agencies of Government for the benefit of the City of Pittsburgh, at an aggregate cost not to exceed \$25,000.00, payable from Code Account No. 1017, Index Code No. 101709, Miscellaneous Services, Mayor's Office."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1957

A Resolution entitled, "Resolution authorizing the City of Pittsburgh to accept the gift of the Buhl Science Center located in the 22nd Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1958

A Resolution entitled, "Resolution authorizing the City of Pittsburgh to enter into an Agreement with Carnegie Institute for a term of 25 years at a rental rate of \$1.00 per year."

Which was read.

Mr. Grabowski:

Mr. President, on Bills 1957 and 1958 regarding the Buhl Science Center, the City accepting the Buhl Science Center as a gift and then in return entering into an agreement with the Carnegie Institute, I thought that was somewhat strange, why the City would accept the Buhl Science Center and then give it to the Carnegie Institute. I would think that the Carnegie Institute should take it on its own without the City's involvement and I can't remember which director presented this at the Mayor's Meeting last week but he said that he would get back to me and he hasn't. Therefore, I move to recommit these two bills.

Mr. Pollock seconded the motion.

The Chair:

I think it's just a technicality that we have to receive it first and then we have to give it to the Carnegie Institute because they can't receive it, as I

understand, from one -- The Buhl Science Center just can't give it to them. They can give it to us and then we in return give it to Carnegie Institute.

Mrs. Masloff:

We are in effect the owners of that at this moment, the City is. You see, the Buhl Planetarium and the Carnegie entered into an agreement several months ago to combine and in order to combine they first have to have that property. But the City is in effect the owner of that property; we maintain it. We maintain the Buhl Science Center. The Buhl Foundation make contributions along the educational lines but the City really owns that building.

Mr. Grabowski:

I have to disagree with you or else we wouldn't have this legislation before us accepting it if we already own it.

Mr. Wagner:

I guess there's no urgency in it and we can get an explanation before tomorrow. I think there's a need for further explanation. I think the name is The Carnegie; it's not Carnegie Institute any longer. So maybe we could check that out also.

Michelle Madoff:

Mr. President, what I would like to know is, is the County contributing anything in the way of substantive dollars for the facility that will now become part of Carnegie. I know they do contribute to the Museum, to the Carnegie. Do they give money to the Buhl Science Center? I would need to know that.

Mrs. Masloff:

Yes. They have a line item in their budget this. They are making a contribution of \$38,500.

The Chair:

That's what we give them too.

Michelle Madoff:

But we are one-third of the County. I just want to point that out when I make my amendment on the Zoo bills.

The Chair:

We're going to argue this bill out tomorrow at 10:00.

All in favor of the motion to recommit? Opposed?

WHICH MOTION PREVAILED.

Also,

Bill No. 1959

A Resolution entitled, "Resolution Repealing Resolution, approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 1960

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties, acquired at tax sales in accordance with Act No. 171 of 1984. Properties are in various Wards of the

City of Pittsburgh."

Which was read.

Also,

Bill No. 1961

A Resolution entitled, "Resolution transferring \$70,000.00 from Code Account 1977 (197707), Utilities to Code Account 1978 (197806), Chemicals."

Which was read.

Also,

Bill No. 1962

A Resolution entitled, "Resolution transferring \$10,000.00 from Code Account 1922 (192203), Miscellaneous Services, Administration Division to Code Account 1974 (197400), Repairs, Purification and Pumping Division."

Which was read.

Also,

Bill No. 1963

A Resolution entitled, "Resolution transferring the sum of Two Hundred Thousand Dollars (\$200,000.00) from Code Account 1400, Index Code (140004)-Public Safety Administration Salaries & Wages to Code Account 1443, Index Code (144303)-Police Salaries & Wages, Bureau of Police, Department of Public Safety. This transfer is necessary to cover Police payroll for the remainder of 1986."

Which was read.

Also,

Bill No. 1964

A Resolution entitled, "Resolution transferring the sum of Fifty-Thousand Dollars (\$50,000.00) from Code Account 1400, Index Code (140004)-Public Safety Administration Salaries & Wages to Code Account 1470-9, Index Code (147090), Firemen Worker's Compensation, Bureau of Fire, Department of Public Safety. This transfer is necessary to cover Worker's Compensation payroll for the remainder of 1986."

Which was read.

Also,

Bill No. 1965

A Resolution entitled, "Resolution transferring the sum of Thirty-Thousand Dollars (\$30,000.00) from Code Account 1400, Index Code (140004)-Public Safety Administration Salaries & Wages to Code Account 1402-9, Index Code (140293)-Administration Workmen's Compensation, Bureau of Administration, Department of Public Safety. This transfer is necessary to cover Workmen's Compensation payroll for the remainder of 1986."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 1981

Report of the Committee on Public Works for December 10, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1926

A Resolution entitled, "Resolution granting unto Sidney Properties Associates, their successors and assigns, the privilege and license to construct, maintain, and use at their own cost and expense, encroachments on a portion of the sidewalk of Sidney Street and Wrights Way in the 6th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Grabowski presented

Bill No. 1982

Report of the Committee on Planning, Housing and Development for December 10, 1986 transmitting sundry resolutions one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1891

A Resolution entitled, "Resolution authorizing the submission of an Enterprise Zone Planning Application with the Commonwealth of Pennsylvania Department of Community Affairs for planning assistance and interim designation."

Which was read.

Also,

Bill No. 1892

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of

the City's right, title and interest, if any in and to the publicly owned properties in the 26th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lots: 45M-80, 45M-75, and 45M-70 in the Deed Registry Office of Allegheny County, under the Neighborhood Housing Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1893

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire the properties in the 26th Ward of the City of Pittsburgh owned by Willie Lee Brown & Lena Mae Brown, husband & wife, and/or their heirs successors or assigns and designated as Block and Lots: 45M-76, 45M-161, 45M-162, 45M-163 and 45M-164 in the Deed Registry Office of Allegheny County, under the Neighborhood Housing Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1894

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 26th Ward of the City of Pittsburgh owned by Benjamin Scott & Essie Scott, husband & wife, and designated as Block and Lot 45M-74 (2526 N. Charles Street) in the Deed

Registry Office of Allegheny County, under the Neighborhood Housing Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1895

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 26th Ward of the City of Pittsburgh owned by Ruth D. Artemus and/or her heirs, successors or assigns and designated as Block and Lot 45M-71 in the Deed Registry Office of Allegheny County, under the Neighborhood Housing Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1896

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 10th Ward of the City of Pittsburgh owned by Donald Wilson & Eva Wilson, husband & wife, and designated as Block and Lot 50H-215 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1897

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Neighborhood Housing Services, Inc. for the sale of Block 23L Lot 236 in the 22nd Ward of the City of Pittsburgh (RESALE FOR REHABILITATION)."

Which was read.

Also,

Bill No. 1898

A Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various redevelopers for the sale of various properties in the City of Pittsburgh (URBAN HOMESTEADING REHABS)."

Which was read.

Also,

Bill No. 1901

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to publicly owned properties in various wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County Block and Lot Numbers mentioned therein."

Which was read.

Also,

Bill No. 1709

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 9, by changing: From "R1" One-Family Residence to "C1" Neighborhood Retail District all that certain property bounded by Brownsville Road; Lauch Way; Clifton Street; Askal Way, 29th Ward."

Which was read.

Mr. Wagner:

Mr. President and members of Council, on Bill 1709, I would like my comments brought forth for the record pertaining to the Long John Silver's rezoning, for the Long John Silver's in the Carrick area of the 29th Ward.

(BEGINNING - MR. WAGNER'S
REMARKS ON BILL NO. 1709 -
WEDNESDAY, 12/10/86)

Mr. Wagner:

Discussion. I just want to make a comment. This would be the first Long John Silver retail establishment within the boundaries of the City of Pittsburgh. The hearing was held yesterday, as everyone knows, and I just want to compliment the Planning Department, the Neighborhood and the Long John Silver Corporation for working closely with the neighborhood in orchestrating and working out some differences that existed between the neighborhood and the company. Obviously everyone here at the public hearing was in favor of the zoning change.

(END OF REMARKS)

Also,

Bill No. 1928

A Resolution entitled, "Resolution amending Sections 549.02(j), 549.05(b), 549.06(a), 549.07(a), of Ordinance No. 30 of 1981, effective September 22, 1981, which established the Residential Parking Permit Program, so as to change definitions and departmental responsibilities."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1929

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 234 of 1986 entitled, 'Providing for filing of a Community Development Statement by the City of Pittsburgh with HUD for a grant in connection with 1986 CDBG Program', so as to amend several line items to correspond to an increase in the overall grant from \$13,920,000.00 to

\$16,777,000.00 (+\$2,857,000.00)."

Which was read.

Also,

Bill No. 1930

A Resolution entitled, "Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with HUD for a grant in connection with the 1987 CDBG Program. Providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signatures; creating a special trust fund in connection with the project; providing for the deposit of the funds in a bank account and providing for the payment of expenses within categories."

Which was read.

Mr. Wagner:

In regard to Bill No. 1929, which pertains to CD monies and the increase of \$2,857,000, when this bill came in front of Council last week, first of all, it came very fast because Rule 8 was suspended, I was under the impression and I don't know how many members of Council that this was simply legislation allowing the \$2,857,000 to come to the City of Pittsburgh. I did not know that this was the allocation of dollars to many CD projects. If you'll look at the legislation, there's at least a dozen of them here.

This Council has never really had the opportunity to sit down and talk about any of these projects and the merits of the projects, not to say many of them, if not all of them, do not deserve funding. We simply have not had

the opportunity to look at this list and for that reason, I would like to suggest and make a motion that we recommit this bill and give us the opportunity to review it.

Michelle Madoff:

Clarification, Mr. President. Which bill are you recommitting?

The Chair:

Bill 1929.

Michelle Madoff:

And it has to do with —

The Chair:

CD monies.

Michelle Madoff:

I believe that the Finance Chairman has already made that request and he wants to review the bill. Is that correct?

Mr. O'Malley:

I was thinking about making that request.

Michelle Madoff:

You already asked me whether I would support it.

The Chair:

Wait, first I need a second on the motion.

Michelle Madoff:

Second for discussion.

Since Mr. O'Malley is Chairman of

that Committee and he had already spoken to me about it, I think he has found some extra dollars. Perhaps he'll enlighten us and why he wants to review it.

Mr. O'Malley:

It's in Mr. Grabowski's committee but the only concerns I had were the same concerns that Mr. Wagner expressed and that is that the legislation came in front of this Council Monday and we suspended Rule 8 and it came up on Wednesday and many members of Council didn't have adequate time to review it. That was where my concerns were.

I talked to the Administration. If this piece of legislation is held, it has to come back up in front of Council tomorrow and has to be voted on according to the Federal guidelines by Monday so its into the Federal Government by the end of the year.

That's the only concerns I have.

The Chair:

I have one other. There are two bills here.

Mr. O'Malley:

One deals with 1986 allocations and one deals with 1987 allocations of CD. The bill we're on deals with 1986 allocations of extra funds.

The Chair:

And Bill 1930, I don't if anyone had a chance to discuss these either.

Mrs. Masloff:

Mr. President, these allocations, Mr. Wagner, don't they deal just in

generalities?

The Chair:

No, no.

Mrs. Masloff:

Yes, but it says --

The Chair:

Specific programs.

I can't make a motion but I would like to know if someone would make a motion to commit 1930 also.

Michelle Madoff:

I would make a motion to commit until tomorrow because that's all we have.

Mr. Pollock seconded the motion.

Michelle Madoff:

May I discuss it? One of my very great concerns, and I think its shared by most members or perhaps every member of this Council, is that the issue of retraining the unemployed and underemployed probably is the greatest priority this community has. In studies that have been done nationwide, the two greatest issues of the late '80s and '90s will be hazardous waste, toxic waste, garbage disposal, and literacy. Those are the two major problems confronting our generation.

Under Unspecified Local Options there is a grant from this Council which is sort of the Pittsburgh initiative on literacy to have an umbrella group to coordinate all efforts and they're going out to raise a lot of money and hopefully we will support them as we do other cultural things every year and other

necessary charitable causes. But there is such a terrible need and the millions and millions of dollars, that I would hope that by tomorrow we would put \$10,000 in from Grants and Donations and since some other dollars have been found. That was one of the reasons that I happened to know that we were going to be reviewing that.

The Chair:

All in favor of recommitting Bill Nos. 1929 and 1930 signify by saying aye. Opposed?

Mrs. Masloff:

Opposed.

WHICH MOTION PREVAILED.

The Chair:

Okay, one opposed.

Also,

Bill No. 1931

A Resolution entitled, "Resolution authorizing the submission of enterprise development applications with the Commonwealth of Pennsylvania Department of Community Affairs for financial assistance and area designation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

Bill No. 1983

Report of the Committee on General Services for December 10, 1986 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1966

A Resolution entitled, "Resolution providing for the entering of a Contract or Contracts or the use of existing Contract or Contracts for the purchase of uniforms for Firefighters of the City of Pittsburgh, Department of Public Safety, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 1984

Report of the Committee on Parks and Recreation for December 10, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1935

A Resolution entitled, "Resolution Repealing Resolution No. 1036 of 1986, effective November 24, 1986 entitled: 'Transferring \$17,185.37 in appropriations from Capital Budget Project PR86-02, 4-10-10-0002-86, Index Code 320895, Resurfacing of Park Roads to Project PR86-04, 4-10-15-0008-86, Index Code 322875, Play Equipment in the Department of Parks and Recreation', is hereby repealed."

Which was read.

Also,

Bill No. 1936

A Resolution entitled, "Resolution

further amending Resolution No. 1283 of 1985, as amended, entitled: 'Resolution adopting & approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 thru 1991 Capital Improvement Program,' by increasing a line item and by decreasing a line item."

Which was read.

Also,

Bill No. 1937

A Resolution entitled, "Resolution authorizing the Mayor and the Director of Parks and Recreation to enter into agreements in individual amounts of Ten Thousand Dollars (\$10,000.00) or less with various performers, instructors, artists and other persons with specialized skills in connection with the Department's various recreational and instructional programs."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the

bills passed finally.

Mr. Wagner presented

Bill No. 1985

Report of the Committee on Public Safety for December 10, 1986 transmitting two resolutions and sundry ordinances to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1726

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Safety to enter into an Agreement or Agreements for services and materials to conduct a Public Service Campaign for the purposes of promoting the City's non-emergency telephone number." —
(SPONSORED BY MICHELLE MADOFF)
(AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1903

A Resolution entitled, "Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Microfilm Permit Plans Trust Fund, for the deposit of fees paid by Bureau of Building Inspection permit applicants to cover costs associated with the microfilming of plans, and all expenses associated with microfilming of said plans."

Which was read.

Also,

Bill No. 1967

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Seven - Business Licensing Article IX - Amusement Businesses, Chapter 777 - Mechanical Amusement Devices, Section 777.05 - License Fees, by changing the date for payment of late fee and by providing for a reduced fee in the event of a license effective after June 30. (a) The annual fee for the issuance of a license to maintain a mechanical or electronic amusement device, except juke boxes, shall be based upon \$135.00 for each such machine. For each device licensed after the sixth month of the license year, the fee shall be \$75.00. (b) The annual fee for a juke box shall be \$85.00. (c) A late fee of \$50.00 shall be assessed for each premises if license is not obtained prior to (February 1) January 1, of each year."

Which was read.

Also,

Bill No. 1968

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Ten-Building, the title page by repealing the reference to "Article I - Administration." Chapter 1007-BOCA Basic/National Building Code Adoption, Section 119.0-Certificate of Use & Occupancy, Subsection 119.3-Existing Buildings, to provide for requirement of Certificate of Use & Occupancy; Section 2004.0-Permits & Certificates of Inspection, Subsection 2004.1-General, to provide for electrical permits; Section 103.4-Rehabilitation, providing for use of Article 25, Repair, Alteration, Addition To & Change of Use of Existing Buildings; Section 116.2-Shop Drawings, providing for review of shop drawings by the design professional; Appendix A Reference Standards, providing for the

enforcement of the 1987 NEC as of January 2, 1987; and Chapter 1011 BOCA/National Existing Structures Code Adoption, Section ES100.2-Scope, by repealing ES100.2(3)-Rehabilitation."

Which was read.

Also,

Bill No. 1969

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Ten - Building, Article I - Administration, Chapter 1007 - BOCA Basic/National Building Code Adoption, Section 114.0 - Fees, Subsection 114.3.1 - Fee Schedule, by adding Paragraph 114.3.1(k) - Microfilming of Plans."

Which was read.

Michelle Madoff:

May I ask a question, Mr. Chairman. I don't understand that one bill amending the BOCA Code. Could somebody before we vote just give me some concept of what we're doing? I apologize we have a very, very lengthy agenda and it looks really ridiculous. I hate to vote in a vacuum and I don't think we can resubmit the bill because of the time frame. Could somebody just tell me essentially what we're doing? Do I understand, we're just amending the City BOCA Code to be in line with the national standards?

Mr. Wagner:

We are upgrading the safety standards in the Code.

Michelle Madoff:

That's what I assumed we were doing. In case anyone is listening to this Chinese proverb or something, they knew

what was happening.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. DePasquale presented

Bill No. 1986

Report of the Committee on Engineering and Construction for December 10, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1916

A Resolution entitled, "Resolution amending Resolution No. 954, effective November 3, 1986, entitled: 'Providing for a Contract or Contracts for the Rehabilitation of the Charles Anderson Bridge over Boundary Street; providing

for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation and providing for the payment of the cost thereof,' by reducing the total construction costs by \$5,000.00, and by providing for an Agreement with the B & O Railroad for flagmen services."

Which was read.

Also,

Bill No. 1917

A Resolution entitled, "Resolution further amending Resolution No. 1218, effective December 31, 1979 as amended by Resolution No. 78, effective February 22, 1980, as amended by Resolution No. 430, effective June 6, 1984, as amended by Resolution No. 990, effective November 20, 1984, as amended by Resolution No. 17, effective February 6, 1985, as amended by Resolution No. 1262, effective December 31, 1985, entitled: 'A Resolution providing for a Contract or Contracts for Engineering and Architectural Services for Grant Street and Liberty Avenue Design, Fort Pitt to Liberty, Sixth Avenue to Twelfth Street; and providing for payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation,' by increasing the total project allocation by \$97,000.00."

Which was read.

Also,

Bill No. 1918

A Resolution entitled, "Resolution Repealing Resolution No. 195, effective March 19, 1986, entitled: 'Providing for a Contract or Contracts, or use of

existing Contracts for the Renovation of Senior Citizen Centers, including but not limited to Cowley and Perry South; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1919

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for repairs at various park facilities; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1920

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Renovation of Mary Schenley Fountain Area of Schenley Park; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1921

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Renovation of Cowley Goettman Recreation and Senior Citizen Center; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1922

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the In-Depth Inspection of the Shadeland Avenue Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1923

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the In-Depth Inspection of the Meadow Street Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner

Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9	NOES none
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And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Givens presents

No. 1987 WHEREAS, the Police and Firemen's Post 303 of the Veterans of Foreign Wars of the United States of America will celebrate their 67th Anniversary as an organized post of the 29th District of Allegheny County, Department of Pennsylvania, on Friday, December 19, 1986; and

WHEREAS, Police and Firemen's Post 303 is one of the oldest VFW posts in the nation, organized in 1919 by Pittsburgh Police and Firemen returning home from overseas service in World War I; and

WHEREAS, the history of Post 303 includes an outstanding marching band known as the Pittsburgh Police and Firemen's Band which included members who honorably served overseas in the Spanish American War, World War I, World War II, Korea and the Vietnam Conflict, before the musicians disbanded; and

WHEREAS, Post 303 has distinguished itself for its dedication to youth activities such as the Buddy Poppy Program, the Boys Clubs of America and the Junior Rifle Clubs of the National Rifle Association; and

WHEREAS, Post 303 has uniquely served veterans throughout the Commonwealth with parades, memorial

services and fundraising drives and has received several commendations on the National, State, and County levels for its exemplary work on behalf of disabled veterans.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby extend the City's heartfelt respect, honor and congratulations for the remarkable history of Police and Firemen's Post 303 of the VFW on the occasion of the celebration of their 67th Anniversary.

Mr. Givens moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Givens:

If I might, I'd like to invite to the stand right here Commander Robert C. Lang, Commander of Post 303, who, as you can see, is a policeman and in uniform and of course, we thank No. 2 Police Station for letting him come on up here, and Senior Vice-Commander, Louis Dragowski. If they could just say a few words.

Mr. Lang:

On behalf of the Mayor and City Council, as Commander of the Police and Firemen's Post No. 303, I deem this a great honor in being commended on our 67th birthday.

My activities chairman, Louis Dragowski is quite responsible for most of the work that goes on. He's a City Councilman from Glassport and I would like to have him say a few words. Thank you.

Mr. Dragowski:

President of Council Ben Woods, our Liaison Commander Richard Givens, ladies and gentlemen of the Councilmatic body, I think that between Mr. Givens and Commander Lang they said it all. But I'd like to introduce the other people who have taken out part of their day to come here for this ceremony. I'd like to introduce our Quartermaster Andrew A. Mammarelli; Commander Frank L. Miller of the Allegheny County Council; John Horback Chief of Staff of Allegheny County; Ed Rock Sr. Vice County Council Adjutant. Thank you very much.

Michelle Madoff:

Where are all the women? Didn't they fight in the wars?

Mr. DePasquale:

They were all slackers in World War II.

Michelle Madoff:

I wouldn't say that loud, Mr. DePasquale; the women will march on you. That's a sexist remark if I ever heard one.

The Chair:

Thank you.

Mr. Wagner presents

No. 1988 WHEREAS, the Pittsburgh School Board is considering a six-mill increase in Pittsburgh property taxes; and

WHEREAS, the proposed increase will amount to approximately one-hundred-fifty dollars (\$150.00) per homeowner annually; and

WHEREAS, Pittsburgh residents cannot shoulder the burden of increased local taxation.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh urges the Pittsburgh School Board to exercise fiscal restraint and operate within their budget without the proposed six-mill tax increase on property within the City of Pittsburgh.

Mr. Wagner moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Wagner:

Mr. President and members of Council, as you know, the School Board will soon be considering a tax increase. To my knowledge, it is still six mills. That tax increase obviously will impact the residents or property owners of the City of Pittsburgh, both the School Board and this Council. We all serve the same people, so therefore, any tax increase by this Council or by the School Board impacts the same people.

For that reason, I believe it's important for the City of Pittsburgh, City government, City Council, to have some opinion, some formal opinion, on that tax increase.

I have spoken with several of the School Board members privately and I wanted to appear in front of them last week to mention my opinion as an elected official and also as a resident. Unfortunately when I attempted to sign up I was a couple minutes late; therefore, I did not speak in front of them.

For that reason, I thought it would

be good to have a resolution. Seeing that the resolution passed, I would suggest that we send it out today to the Pittsburgh School Board because I anticipate them voting on this within the next several days and hopefully our opinion as an elected body will carry some merit in them reaching their decision.

Michelle Madoff:

On the same subject. Mr. Wagner, may I respectfully request that you put it in a night letter or have it hand delivered by one of the City messengers to the right person and have a receipt signed that it was received. If you were denied the right to speak because of a few minutes, I think you have the right to know that that message reached the proper people and all the board members in time. What I do when I want something special delivered is I put a receipt on and they sign it received and that would assure that they couldn't say they didn't get this message before the vote.

Mr. Wagner:

However the City Clerk chooses, however he can be assured of delivery, is fine with me.

The Chair:

Is there anything else on that subject? Okay, next subject. Ms. Madoff has a motion.

Michelle Madoff:

We all know that a tragedy occurred this past Wednesday in Iowa where a man burst into a weekly City Council meeting and shot the Mayor and wounded two Councilmembers. Speculation is that Mr. Davis had been upset about a sewage problem on his property and in fact had

attended a previous Council meeting complaining about his problem. What happened was tragic and our sympathy goes out to the Mayor's family, the wounded, and the private citizens attending the meeting who witnessed what must have been a horrifying scene.

There's a lesson to be learned here, a lesson that should have been learned a long time ago. Perhaps after the San Francisco slaying or even earlier when George Wallace was shot leaving him paralyzed and confined to a wheelchair, and may I remind my colleagues that in the State of Pennsylvania public officials are not covered under workmen's compensation and should an elected official be permanently disabled, like Governor Wallace, there is no automatic compensation.

Council Chambers must be made safe, safe for public officials, safe for employees. But most of all, safe for public citizens who have a right to attend these meetings, and I did overlook the media and we ought to keep them safe too, I guess. It is common occurrence in today's world to have security at airports, rock concerts, office buildings, court rooms. Even the recent Russian Ballet at Heinz Hall had security checks of those entering, without cause or disruption. As a matter of fact, I believe Councilman Pollock and Sophie Masloff were present and it was a very orderly method of entering Heinz Hall. We currently have absolutely no protection in these Chambers from anyone.

Having conferred with an eminent psychologist, she confirmed that in an emotional atmosphere such as a City Council meeting, impulsive, irrational acts may occur, where in a social setting it would be less likely to happen unless premeditated by a person with distinct pathological motives of violence.

While public officials, through the act of seeking office, knowingly accept the risk of potential danger to their well-being, they should not subject the public to such dangers in a confined area as a City Council Chambers. Our present security guard in Chambers is totally unprepared to any extreme acts of violence involving firearms or any other destructive devices that could be used in the act of bodily harm. Further, any improved security precautions we take lessens the City's liability should a tragedy occur here. Not upgrading our security leaves us wide open to lawsuits and the City is self-insured, meaning, that taxpayers bear the financial burden. We already had a \$1 million claim which we paid against the City.

Now, I talked to Dan Pellegrini just before we came in and he said that he believes that we are not culpable and we would not be responsible for the acts of someone else. But anybody, as Sophie Masloff has said a hundred times, can sue anyone. And if we have no minimum protection, I think they would have a valid claim.

It is not my intention to be paranoid but to deal in the real world. We cannot have a police officer protecting each person. We can't have it in the streets, we can't have a body guard for all Councilmembers, nor would we want one. As a matter of fact, the Mayor doesn't use his enough and I'm constantly chastising him about it. He leaves himself very vulnerable. Nor is it my intention to create a Fort Knox, but common sense should prevail and we should take reasonable precautions. Therefore, I offer as a reasonable solution that one protective device be installed at the only public entrance to City Council Chambers. That door right there. We only have one side of it open anyway. Whether it be hand-held or a stationary device, metal detector, we

determined the price range to be from \$200 for a hand-held model to \$3500 to \$4000 for a stationary model. I think a hand-held model or stationary model, we're talking about peanuts here. We're talking about \$200 if we want to do it in an inexpensive way.

Also, we need an audio buzzer system installed at the door to the reception area where Elli and others sit so that Council offices would allow the receptionist to see and hear and admit visitors who state their business and have reason to be buzzed in. She could see them, she could talk to them, and she could buzz them in.

I make this in the form of a motion and I hope I have a second.

Mr. DePasquale seconded the motion.

Mr. Givens:

Discussion. I feel there are two paragraphs in here that are very offensive to me and should be to the Police Department of the City of Pittsburgh. One, that we currently have absolutely no protection from anyone. That is absurd.

The third paragraph from the bottom, that our present security guard in Chambers is totally unprepared for any extreme act of violence, I feel that is very offensive. We do, in fact, have a Sergeant at Arms who is a police officer of the City of Pittsburgh and he carries his weapon. We have other people that are very close by this building and I find that our police officers, any time this Council has called upon them to act as our Sergeant of Arms and/or to protect us, he has always been, whoever it is, very diligent in their particular jobs.

Coming from a security background, including the President of

the United States, I can assure you that if anybody is intent on killing someone in our society, unless we put the detection device before they come into the City, we're not going to be able to stop them. If someone comes into this Council intent on doing bodily harm, it's going to be done. How much bodily harm is reaction why we have a police officer so armed in this Council. He can't pull out a weapon and shoot at free will either because he's going to hit bystanders and everything else. So, there's considerations on everything.

If we just look across to our County Court buildings, they do not have alarm devices on every courtroom and the judges have probably been shot at more in our history than have Councilmen or Mayors. However, if this Council feels that there is a particular need for additional security within our County government presently and they're willing to lend it to us if we ever need it, such a device as they have at airport, they use it on occasions in the various County courtrooms when they feel there has been an overt threat or there is some need and the judge feels that he needs that extra protection. That's really all we need and to go any further and to go into any more expense than just that alone would be deceiving ourselves primarily and deceiving the public in the cost that would ensue. Thank you.

Mr. DePasquale:

Mr. President, if you'll remember, I brought this up when we had a gentleman evicted by the former Sergeant at Arms, John Hilson, and John came in later and said that somehow in the scuffling out there somebody dropped a gun or they found that somebody else had a gun.

The Chair:

It was in the Chambers.

Mr. DePasquale:

Believe it or not, when I asked somebody, not a policeman, they said, "Oh, he had a permit for it." But that doesn't do anybody any good if he comes in and starts shooting and honestly, I believed then and I believe now that we should have some protection at the hearings or anytime at that door.

Mr. Wagner:

Mr. President and members of Council, I think there is some merit in the resolution but I think we need to look at it in much further detail. Not only is Council exposed to something like this happening, so are many other people in the building. I can think of one incident since I've been here, in the Treasurer's Office on the first floor where they handle money, and they had a scare of an individual coming into there. So, if some type of mechanism were installed, I don't think it should just be for the elected officials, particularly Council; it should be for all government employees.

And that leads me to the point where it's very difficult to do that in this building. However, I think we should be requesting that someone investigate the possibility of doing that in this building and somehow closing off some of the hallways in the basement that go to other buildings and other places of which I don't know where half of them do go, and to look at some way of better securing the entire building. Many corporate buildings have gone to that; they've done it for a purpose. It's the same reason Councilwoman Madoff is suggesting. It also leads to another point that we've talked about here and that's the consolidating of City offices into one building that is secure and somehow, looking further down the road, as to how that should be done. I think that's one very positive reason why we need one

building for all City departments.

So, I think we need to take a look at it but I think we have to look at the larger picture rather than just Council Chambers.

The Chair:

If I could say something. If you're going to do something like this, I agree, you have to look at the broader picture. I mean, the Federal Courthouse right down the street, you can't get in the building without going through one of those mechanisms. That's everybody that goes in that building. I believe we were in the Baltimore City Building, City Hall, and you can't go into that building without going through one of these metal detectors. But, it's just not something, Michelle, that we can just throw up here and do something. If you did it here, people just walk in these doors, come in this back door; none of these doors are locked. I could walk in here carrying anything I want.

Michelle Madoff:

I want to take the high points out of my floor motion. Number one, in response to Councilman Givens, it was not in any way my intention to demean the police officers. But, as I said, I spoke with an eminent psychologist and I'm not giving her name because obviously everybody would be asking her for support or for her advice. But the word or the key word that she gave was impulsive. When somebody is in this Council and people start to testify and people get worked up, it's an impulsive, spur of the moment kind of action.

Further, when we talk about the business of protecting electing officials, and Mr. Wagner touched on that, I made a point specifically of saying that isn't the issue. The issue is that someone

shooting at us could hit an innocent bystander. We accept that risk when we run for office but somebody coming here to witness or testify should not be exposed to that same danger.

What are we talking about? We're talking about blocking off the back door, which is supposed to be locked anyway, having a buzzer system which is very inexpensive at the front door where Elli is, no problem there at all, and a squawk box that you can talk to the person, and having a \$200 instrument here. I don't think we're talking about a lot of money. We have had three horrible national examples of what can happen. And I remember, before you got here, Mr. Woods, when two police officers were dragging a man from the Mayor's Chambers, dragging him out. He tried to get in to shoot the Mayor. I'm saying to you that it is important to have, to start with, a hand-held device right at this door. It is the only place they can come in. They can't get in anywhere else. We're talking about \$200. I'll tell you what, we could all chip in the \$200 or I'll put in the \$200 dollars. We're talking about peanuts. And put in a buzzer system to give Elli some protection. What is she supposed to do with some kook who pushes past her and frequently they do. If they want to see a Councilman, they just push past her. I open my door and find somebody and I didn't know they were coming to my office. What is she supposed to do, wrestle them to the floor? Just give her a buzzer system, a squawk box and a metal detector here. We're talking about peanuts and it will set an example. We're talking about no more than \$1000. Come on folks, and then we'll put in a review protecting the building. First of all, our records should be protected in the building; we can look at the grand picture later.

Right now we have three glaring

horrible examples, I don't want to reiterate them, you know what they are, but I want to ask my colleagues, can you tell me, ladies and gentlemen, that you have never been threatened, that no one has ever called you and threatened you? Well, I'll tell you, I have a cuckoo clock that writes me letters, he has a post office box. We try to respond and he turns the mail back. He's obviously slightly derranged. His folder will be turned over to the police. I got a call at 3:00 in the morning when we were having a hearing on landfills recently when I testified in support of not putting that \$4.00 tax on the City taxpayers and someone said, "You better stay away from your window." I get calls frequently, not excessively but in the eight years I'd say I've had a dozen threatening calls. I had one letter that I had to go over with the FBI.

We've been lucky. On the law of averages, we've been lucky. There's no doubt that Mr. Woods is correct. If somebody is going to get you, they're going to get you. And if somebody is out to get me, they're going to get me. If somebody wants to break into my house and take my jewelry which isn't worth a hell of a lot, they're going to do it. But the point is that we have an obligation to protect people coming to the public hearings and our staff members. And I think that having an inexpensive device is the way to go to start giving some protection to the people that we represent who come here for public hearings and so on. And we're not talking about putting in a Fort Knox and we're not talking about a lot of money. It's a very minimal amount of money and what we'll do for that police officer that Mr. Givens is so concerned, that perhaps I'm maligning him and I have no intention of doing that, is as Mr. DePasquale said, if somebody walks through that door and they have a gun, we're going to know it. That's all I'm asking for. Not to protect

Ben Woods or not to protect Jeep or not to protect me, but to protect all these people sitting here today. And I urge you to support the bill and if you don't have the money, I'll pay for it.

Mr. O'Malley:

Just one quick comment. I think Michelle's motion has some merit but I don't think we should take, excuse the pun, the shotgun approach to it. I think what we should do is ask Glenn Cannon to give us a preliminary study of what can be done and what can't be done.

Mr. DePasquale:

I just want to say along the lines of the mail that Michelle is getting, I get letters addressed to Mr. Popoff, President of the Popoff Association of America. Who is sending me that letter?

Michelle Madoff:

Mr. President, you know, we can keep on saying let's do a study and let's see what's going to happen. We're talking about a minimal amount of dollars and I don't think that I'm being unreasonable to ask for minimum security for those people who come here to testify, to be in the audience, or staff people. Even the media that some people are not too thrilled about, I'm happy to protect them. I don't know whether you'd object to that, Mr. Woods; I think they do a yeoman's job, even though they take zaps at me frequently. And I think it's time that we spent a little money to start the ball rolling. We can always pursue it further and if the matter of the \$200 is going to be such a hardship, I'll come up with the money.

The Chair:

As far as the buzzer out here at the door and people coming in, Mike and

I have already spoken about that a number of times and we're going to take care of that. The only problem we have here is that someone might come to see me and then they go to see every other Councilmember unannounced. That happens quite frequently and we have to stop that. But there's going to be something done out here to help Elli out.

Michelle Madoff:

Then why do you object to a \$200 gizmo, a metal detector at this door to catch somebody with a gun when Mr. DePasquale just told you -- don't you trust him? -- that the police officer said that the man dropped a gun? What are we waiting for? Someone to get shot?

The Chair:

Michelle, I was chairing the meeting when it happened and he dropped it --

Michelle Madoff:

Then why would you object to it, Mr. Woods? What objection have you got to a \$200 device by our security guard standing at the door? I mean, we're talking about peanuts here.

Mr. DePasquale:

Call the question.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale Mr. O'Malley
Mr. Grabowski Mr. Pollock
Michelle Madoff Mr. Wagner
Mrs. Masloff

AYES 7 NOES 1

(MR. WOODS VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

Michelle Madoff:

Discussion. Who pays the \$200?

The Chair:

I thought you all were going to chip in.

Michelle Madoff:

That's okay with me.

Mr. DePasquale:

On another subject. This is not in the form of a resolution. Obviously I didn't have it in 48 hours and I didn't intend it as a resolution.

Along the lines of what Mr. Wagner was discussing a while ago about the increase in school taxes which is automatically an increase for all the property owners in the City of Pittsburgh, over the weekend, I was rather disturbed to read an article I believe was in the Pittsburgh Press where Mr. Roddey, the Chairman of the Water Authority, was quoted as saying that they had floated I think three bond issues, the Water Authority, and had four increases. The part that disturbed me was where he said that the bond issues needed to be, shall we say, bolstered by a

rate increase to cover the cost actually of the bond issues. That's sort of doing things in reverse. I know at Alcosan we were told by financial experts that if we floated a bond issue that we would be able to do capital project, that we'd get the fund for the capital projects, and also avoid a rate increase. Now, the Water Authority does it in reverse. They have a bond issue and still raise the water rates. And Mr. Roddey's reason was that the reason for the rate increase was to cover the cost of the bond issue.

All I'd like for Mr. Roddey in writing is further explanation as to why they have to raise those rates on top of the bond issues. Maybe Mr. Wagner can give us some answers here and we won't even need a letter from Mr. Roddey. I think when you're talking about raising the water rates to all the residents of the City of Pittsburgh, four times, the last one 19 percent, some questions should be asked. I realize we don't have the authority over that Water Authority that we had before on the Water Department as it was called then, but four increases and three bond issues and two more or three more rate increases contemplated, and I don't know how many more bond issues.

The Chair:

Mr. DePasquale, why don't you just ask for a post agenda and have him come in?

Mr. DePasquale:

I don't mean to create any investigation or what have you. I think a written explanation from Mr. Roddey to you and to the rest of the members of Council would suffice. He should be able, I think, to show us why they have to raise those rates on top of the bond issues because the purpose of a bond issue, as I said, is to get funds for capital

projects and to avoid a rate increase, not to get those funds for capital projects and still have a rate increase.

The Chair:

Okay, we'll send a written request for that explanation.

Michelle Madoff:

Mr. President, same subject. My phone is coming off the hook with people, I'm sure that's why you raised the issue, Mr. DePasquale, with people saying they're on fixed incomes and they cannot afford this 19 percent rate increase. As you may recall, I don't think Mr. DePasquale was on Council at the time when we voted for the Water and Sewer Authority, it was a very close vote, it was a 5-4 vote and I voted against it. I voted against it because if you're going to raise rates, you would have the money to do the job that was necessary to be done. There were several options, the City could hold a bond issue as opposed to turning the whole responsibility over to a third party. As we all know, the reason it was done was so that this Council that has to run for election repeatedly would not have to be subject to having to raise water rates. But in turning that responsibility over to a Water and Sewer Authority, we've lost all control. We knew this would happen; the four of us that voted against it knew this was going to happen. Perhaps if we raised water rates to pay for repairs as needed, and to do whatever rehabilitation programs had to be done, we would be raising it a lesser percentage because we wouldn't have to pay the debt service. What I'm referring to as the debt service is like taking a mortgage on your house; you buy a \$30,000 house and you pay back \$90,000 at least. That's what's happening here. Not only are the people paying an increase in their water rates, those who

are least able to afford it, but are also paying the debt service as taxpayers. And that was done because of the fear of having to vote and have the courage to vote tax increases, or water rate increases when necessary.

The Chair:

Michelle, let me interrupt you for one moment.

Michelle Madoff:

That happens to be fact and documented.

The Chair:

Let me interrupt you for one minute. You know, say that's your opinion because when you say that that's fact, that people voted for something because they're afraid to run for election, those kinds of remarks from a number of people on this Council are really starting to rub me the wrong way. It is out of order, it is not proper, and please refrain from doing it. I'm telling you, you're the first one, because you continually do it and the next time anyone here says it, I'm going to rule you out of order. Now don't let it happen again.

Michelle Madoff:

Mr. President, your point is well taken and I will amend that to say that it is my opinion in viewing what happened at the time of the vote that that is what happened.

I will further say that I was at the Pennsylvania Ball which takes place in New York, it just took place this past weekend, a year prior to the creation of the Water and Sewer Authority. I came back knowing who the bond counsel was going to be. The Water and Sewer

Authority had already been made and it had not even come to this Council. I came back and shared that with reporters and shared it with people at that time. This was orchestrated. I did a study, and this is speaking for myself, it still hangs on my wall, over six months I did a map delineating by colored pins major leaks in this City over an 18 month period that showed 2100 major leaks. I called the Mayor and said, "Mayor Caliguiri, I don't want you to hear about this in the media, I want to be up front, I want to share this with you; let's work together." He took my map, he took this information and said, "Great, we need a Water and Sewer Authority." As opposed to my position, and I speak again for myself, and the four of us who voted opposed to the Water and Sewer Authority, and that was, if you had raise water rates you raise them and it would have been half the cost of what we're doing right now.

Mr. Wagner:

Mr. President, last week at the budget hearings the Mayor was in front of Council. The Mayor comes once a year in front of Council and we discuss first of all the Mayor's Office budget which we discussed that day but we never got to any general topics of interest due to the fact that the Mayor had to leave and he had another commitment. At that time I requested another meeting with the Mayor and his staff, his executive staff, prior to voting on the budget. Has a meeting of that type been set up and is the Mayor going to come back in front of Council?

The Chair:

Quite honestly, no it hasn't, but I will before we take final action on the budget.

Mr. Wagner:

Before final action or before --

The Chair:

Before final action. The preliminary is Wednesday and it would be very, very difficult to have it before that because today is Monday. It's not the Mayor's fault; it's my fault. I didn't follow through.

Mr. Wagner:

The problem is that even with the initial vote, the initial vote is an indication of the final vote and consequently there are some important issues I think that need to be discussed and, as a matter of fact, out of common procedure we should have that dialogue after we have had the opportunity to meet with all the department directors, which we have done. I think it's good from an overview point of view to sit down with the Mayor, possibly Mr. Turner, possibly Mr. Donahoe, and whoever the Mayor would like to sit with them to talk about many of the topics of interest that all of us have and concern us, public safety, merit increases, capital projects.

The Chair:

Like I said, Jack, I have to take the blame for it. I didn't schedule it, I will try to do it before Wednesday and that would have to be tomorrow. And if I can't, you and I both know that on days of final action, in fact, I've made amendments to the budget already or proposed amendments, you have, and we'll have all day that Monday to do it, on the 22nd. So, I don't think it will be that big of a problem. But if I can get the Mayor here tomorrow I most certainly will. If not, it will be Thursday or Friday.

Mr. Wagner:

Last point. I made a request from out Law Department, an opinion on whether or not Ordinance No. 6 pertaining to Public Safety and the Firefighters and the number of units still applies today. I have yet to receive an opinion and I think that opinion is very important.

I'd like to make a formal request on record, through the City Clerk's Office, to inform this Council as to whether or not that ordinance, and I believe the year is 1975, whether or not that ordinance still applies today as to the organizational structure of the Fire Bureau.

The Chair:

It's my argument, and it doesn't mean anything, that it does because we never repealed it, or I've never seen anything repealing it.

And on the motion of **Mr. DePasquale**

Council adjourned.

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Municipal Record

Proceedings of the Council of the City of Pittsburgh

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Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Tuesday, December 23, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Follock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair presents

No. 1989 Communication for Richard S. Caliguiri, Mayor, City of Pittsburgh, returning with his veto of Bill No. 1721 entitled, "An ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a

referendum question as to whether or not said voters are in favor of amending the Home Rule Charter to provide for the election of City Council Members: Nine by District only.

Which was read, received and filed.

(MAYOR'S VETO LETTER)

December 19, 1986

The Honorable President and Members
Council of the City of Pittsburgh
510 City-County Building
Pittsburgh, PA 15219

Dear President and Member of Council:

I have approved and signed into law Council Bill 1840 which provides for both a district and an at-large Council organization question to be placed on the ballot.

Council may wish to reconsider the number of persons to be selected under either question. In any event, I believe it is important that we narrow the questions in the form presented by Bill 1840 and I have, therefore, returned with my veto Council Bill 1721 which provided for a second by district question. I am taking this action in order to focus attention on the central issues and to simplify the process.

A copy of my statement on this matter is enclosed.

Very truly yours,
RICHARD S. CALIGUIRI

**STATEMENT
OF
MAYOR RICHARD S. CALIGUIRI
DECEMBER 19, 1986**

I have signed into law Council Bill 1840 which provides for two Council organization questions to be placed on the ballot: one to maintain the present (nine elected at large) system, and, one to provide for the creation of a seven district system. I have returned to Council, with my veto, Bill 1721 which would have provided a second by-district question providing for nine members.

Based on the legislation sent to me, this was the only action I could take that would focus attention on the two central question, district vs. at-large selection. Further, Council still has time to reconsider the number of members under each system, but, in doing so, should not recommend more than the two questions.

During the past several months, I have attempted to secure consensus for a combined system of at large and by district representation. I continue to believe this approach provides the best overall structure for Pittsburgh. It is clear from Council's recent action that this option will not be considered and, therefore, I will not pursue it.

In allowing the Council organization question to bypass the normal government study commission process, the State Legislature allowed for multiple questions to be placed before the voters. Because it appears that support exists for both an all at-large and an all by district Council, these are the appropriate options to place before the voters so that they can make a clear and final choice and not have their decision made by default.

Establishing these questions now will provide the maximum amount of

time for public debate and discussion. Election day will serve as the ultimate public hearing on this issue when all of the people get to express their choice.

I urge the citizens to take this time to participate in the debate, make an informed decision, and then go to the polls to be part of setting the future of City government.

(END OF MAYOR'S STATEMENT)

The Chair:

On the objection of the Mayor.

Mr. Grabowski:

So moved.

Michelle Madoff:

Second for discussion. Mr. Chairman, I believe the motion that's been made is to sustain the Mayor, is that correct?

The Chair:

It is to override the Mayor.

Michelle Madoff:

Excuse me, to override the Mayor.

The Chair:

You seconded it.

Michelle Madoff:

Oh yes I certainly did. I just want to be sure that when we vote on this issue I want clarification as to when we vote, what we say, in order to make sure we are overriding. You know very often, for people watching yes means no and no means yes. I don't want to fall into that trap again. It's happened to me before

and I looked like a bafoon and I prefer not to.

On the issue, and why we ought to override the Mayor's veto and ask him to reconsider and to support my original motion is that I believe the Mayor doesn't quite understand that my question nine by-district is a yes or no which means that it's really two questions and what he wanted was two questions. I gave him two questions. Do you want election by district, nine by district, yes or no. That's two questions. Nine at large or seven by district, each referendum by law must have a yes or no question on it becomes four questions. I think the Mayor understands the difference between two and four and when he said to me outside in front of the building yesterday, know that I wanted it clear, I wanted two questions so that people could choose from. And I said, but Your Honor, I gave you two questions, nine by district yes or no is two questions. I think the Mayor should reconsider and understand that that is absolutely not acceptable. I just want to point out that I voted no for funding needed to hire counsel to defend the case against Council filed by the Metropolitan Pittsburgh Crusade for Voters and I have been told that since I will not be available for deposition I could go to jail. I voted no, ---

The Chair:

Michelle, we are going to deal with the question at hand. Please stick on the question of overriding the Mayor's veto.

Michelle Madoff:

I will make a comment on this at the appropriate time but I think this is the appropriate time.

The Chair:

No its not, we are going to deal with this question.

Michelle Madoff:

Well what is dealing with the question, Mr. President?

The Chair:

Michelle, you out of order, you are going to stick to this question, now are you going to vote to override the Mayor?

Michelle Madoff:

Yes I most certainly am.

Mr. DePasquale:

Order of clarification Mr. President. We are going to have the nine at large and seven by district on the ballot, right?

The Chair:

That is law.

Mr. DePasquale:

Now if we vote to override the Mayor's veto we will add the nine by district and we will have three questions.

The Chair:

Right. Any other discussion?

Mrs. Masloff:

Can we amend any of those?

The Chair:

No.

Mr. Wagner:

Mr. President, Members of Council, this issue has been talked about now for five years in regard to district elections.

The Chair:

Jack, let me interrupt for just one second. So everyone understands, stick to the question of why you want to override the Mayor or if you are going to override the veto, please. Go ahead Jack.

Mr. Wagner:

Well the veto, Mr. President, relates to the other question because obviously there are several questions here relating to the change of government. The one here is to override the nine by district veto that the Mayor sent back to Council, correct?

The Chair:

Right.

Mr. Wagner:

My comment relates to the district election. It also relates to the reduction of Council in general.

The Chair:

Jack, I would like you to stick, because I just ruled Michelle out of order, stick to the question at hand please and after we do this we can have all discussions we want on any other subjects.

Mr. Wagner:

The question at hand is that there isn't clarity anywhere here on this issue and as Council has addressed the district election issue of which the governor

permitted us and the State Legislator permitted us to move forward with a referendum question, Council has confused the issue and the Mayor has confused the issue. We have two issues and that is the reason why it is confusing. We have district elections and we have the reduction of Council and it can really all be summed up into that. District elections and reducing the number of Councilmembers and we are trying to put two issues into one referendum question. It won't work. Its that simple. This Council and the Mayor are not showing the governmental leadership or the political leadership that is necessary and where it goes from here I am not certain. All I know is that I can't continue to let two referendum questions on the ballot. The one is conflicting to the other. The one deals with district elections or at large elections and the other one deals with reducing the members, numbers, of Council, plus district elections. I think that if it should be any way, it should be either just district or just reducing the members of Council. Or if its going to be a mix then maybe it should be both and I had mentioned to several people I think the only way this is going to end up being resolved is to see possibly four questions on the ballot rather than three. Right now there is two, nine at large, and seven by district and what we are voting to override is to put nine by district on the ballot. And if we don't override the veto the people are going to go out and petition and put nine by district on the ballot because they did it before so they will do it again. Well if they're going to go out and put nine by district on the ballot they should put seven at large on the ballot also. As Councilman DePasquale indicated a few weeks ago when we voted on this because then it would equal the scale. There would be two questions pertaining to Nine - one by district and one at large and two questions pertaining to seven -

seven by district and seven at large.

The Chair:

Stick to the override. You are going way off and I asked you not to do that, and I told Michelle she couldn't do it, I'm asking you not to do it. I said if you want to do this when we do all other business under remarks you can bring it up.

Mr. Wagner:

Well my bottom line of remark is this Council and the Mayor has shown no leadership on this issue and has deliberately confused the issue.

Mrs. Masloff:

Point of order. If we vote to override the Mayor's veto, what are we left with?

Michelle Madoff:

Three

The Chair:

You will have three questions. Should Council be elected nine by district, the present system nine at large, or seven by district.

Mrs. Masloff:

If we sustain the Mayor then we will have two issues, seven by district and nine at large. In any case, whichever we do, can we bring this up again next year?

The Chair:

You can bring in another piece of legislation to amend the bill. This nine by district cannot come up again if it is not overridden. You can come up with

some other combination. You can come up with say nine at large and nine by district but if you do not override the Mayor, it is dead until 1988.

Michelle Madoff:

Mr. Chairman, to be sure that I understand perfectly, I am aware that if I vote to override the Mayor's veto, three items will go on the ballot. One is nine by district, which was my original bill, which has a yes or no on it, nine at large, which you proposed, as well as seven by district, which both have yes or no votes on them. So the public's choice would be nine by district yes or no, nine at large yes or no, and seven by district yes or no but there would not be seven at large yes or no. That would be missing, is that correct? If I vote to override the Mayor's veto I do that with full knowledge that I don't have any choice because what I am doing is putting back the option of nine at large and nine by district and we can't amend to delete seven by district. Is that correct?

The Chair:

No.

Michelle Madoff:

And what point could there be introduced to have nine at large and nine by district.

The Chair:

You would have to, or some member of Council would have to introduce a complete new piece of legislation repealing this bill or amending that bill, what is it 1840, I forget the number?

Michelle Madoff:

You mean that any member of

Council, myself included, could in the coming year once we veto the Mayor, if we don't veto we can't do anything with it, it stays.

The Chair:

You can override the veto. If you don't override the veto you can never bring up until 1988 a single nine by district bill. That would be dead until the next year is over.

Michelle Madoff:

Thank you Mr. President. I want the public to understand why we are voting to override the Mayor's veto, not to fool or cloud the issue, Mr. Wagner, not to Council to be blamed for clouding the issue but we have been put in the position that if we want to clarify it we must override the Mayor's veto, otherwise nothing else can be introduced to clarify the problem. We are locked in to having to override or to go to the nine-seven as it presently stands because if we don't override no other amendment can be offered in the coming year before the May election. Am I correct?

The Chair:

Another amendment could be offered. You cannot introduce another piece of legislation that singularly says nine by district. You could introduce a piece of legislation, nine by district, seven at large. Nine by district. You would have to have something else with that nine by district.

Michelle Madoff:

Do I understand you very clearly, and I want somewhere here from the law department because I hope that you are right on target here, that whether we override here or not, supposing we don't override the Mayor's veto, we are in the

same position. We can still come back with two other combinations. But if we override the veto, then what remains is my proposition, nine by district yes or no. If you want nine at large vote no and if you want it by district you vote yes. Is that clear? I want to be sure that I understand what I am voting on, the public knows why I am voting. Ok, thank you very much.

The Chair:

Ok. Now, any other discussion.

Mr. Wagner:

Yes, one point. I want to ask the Parliamentarian a question. As I read the charter as it relates to district elections whereas it relates to legislation in general it states under Chapter 317 Legislative Requirements in General, every ordinance shall have a title clearly expressing its subject, every ordinance and resolution shall contain only one main subject, only one main subject, shall contain the date of its enactment, and shall be signed by the presiding officer but it clearly states that every ordinance shall have only one main subject. Now the ordinance that was passed by this Council contained two subjects: reducing the number of Council and also a process of electing Council.

The Chair:

Jack, the Parliamentarian cannot rule on that because he is here as a Parliamentarian. You will have to ask the Law Department that. The Law Department ruled that ordinance valid because it is dealing with one subject, how you elect Council or Council elections and the only one who can object to it, you should have asked before an opinion of Danny, but I did. I didn't get it written. He said yes its legal. If we would have passed it that

would have been another reason the Mayor would have sent it back. It is legal. Its a legal question.

Mr. Wagner:

I'd like to ask for a written opinion from the Solicitor on that issue. It adds clarity to it.

Michelle Madoff:

Excuse me, I think you have given me two contradictory answers. I want to be sure that I am correct. One time when I asked you if we voted to override you said it means the three questions would be on the ballot. The second time you said only mine would be on the ballot. I don't think you meant that.

The Chair:

There will be three questions on the ballot if we override.

Michelle Madoff:

If we override there will be three and if we don't it will stay nine and seven. My question to you is how do we get back to the issue of nine by district and nine at large. I presume that whether we override or we don't override somebody can come back after the new year and say, okay, I would like to make an amendment to the present bill to change it to read nine by district or nine at large.

The Chair:

That is a completely separate piece of legislation.

Michelle Madoff:

So it doesn't matter whether you override or you don't override. You can still come back because if I vote to

override the Mayor's veto I'm digging a bigger hole. What I am saying is instead of having two issues we now have three. Is that correct?

The Chair:

That is exactly right.

Michelle Madoff:

Ok, and if I sustain the Mayor's veto we have got a four prong monster because there is four answers. Yes or no on two issues, and indeed if the Mayor's intention was to let the people truly choose he would have put on seven at large or seven by district because we all know, there is nobody stupid here, that when you give less government people take seven. I would put money on it that seven, whichever it is, at large or by district, would win. Had the Mayor put on the ballot nine by district yes or no and seven at large, seven would have won, but he completely reversed it. I say that because the Mayor is vetoing my bill so I am assuming he is in concurrence with your bill. I mean obviously, I mean as comps, you know how it is, I mean you should know, he is obviously sustaining your position that therefore it becomes his position or he would have supported mine. So what I am doing if I override the Mayor's veto is confusing the issue further and it doesn't matter whether we override or we don't because we need an entirely new piece of legislation, and it is my intention to offer that immediately, Mr. Perry, and that would be to just change it from nine by district to nine at large and nine by district if he wants two pieces of legislation yes or no and let the one that has the most win. I'd like to make it only nine at large yes or no because then people could say I don't want it at large I want it by district. That would be acting against the best interests of those people who really want the election by district.

What I want is irrelevant. This is full of democracy and not Russia and people have a right to vote what they want. If they want it by district or they want it at large fine. If the Mayor wishes to have Mr. Woods introduce this legislation or if Mr. Woods wishes to introduce legislation all on his own that says seven by district or seven at large, so be it. Then this Council can decide whether they want to cut the numbers of Council. Personally, I do want to state for the record that I am better off personally if we go to district at seven rather than nine because in a larger area I have a better chance of winning. But I am saying the individual should not be the issue here it should be not to, excuse the expression, screw up the public, and that's what we have done and its a disgrace.

Mr. DePasquale:

Mr. President, I believe I heard you loud and clear, if we sustain the Mayor's veto the two questions on the ballot will be seven by district and nine at large and the nine by district cannot be brought up again until 1988.

The Chair:

Right.

Mr. DePasquale:

However, what happens and I guess I should address this to the Parliamentarian if the fourteen thousand five hundred signatures —

The Chair:

They can put it on there.

Mr. Depasquale:

That will put it on there. They will have the three part question.

The Chair:

Now I'd like to say something.

Michelle Madoff:

Why should we make them do that Mr. President, make them go out on the street.

The Chair:

You can vote to override the Mayor's Veto.

Michelle Madoff:

I'm going to do that.

The Chair:

I'd like to say something. I don't believe that the questions are very very difficult. Some people think they are. The only people that it is difficult for is the people that don't want to understand to begin with. It's very simple. You have a question on the ballot in front of you. Are you in favor of voting for Council, nine all at large. Are you in favor of nine by district, or are you in favor of seven by district. And if anybody here doesn't understand that, then you shouldn't vote.

Michelle Madoff:

One moment please. I had my hand up.

The Chair:

Let me say something else. I did not offer that amendment to confuse the voters by any means, and I recall that I offered it at the committee table and I can get the quotes out of the newspapers, everybody was in favor, good idea, sounds good. I can support that, including the Mayor. Then all of a

sudden everybody got a little heat from the Coalition for District Election cause they want a nine. Ben Woods wants to confuse the voters. Bull.

Michelle Madoff:

May I respond. I think that you have insulted everyone's intelligence by saying that we do not understand how the ballot is written. We understand.

The Chair:

Michelle, I think you are trying to insult people's intelligence saying they don't understand.

Michelle Madoff:

We understand only too well Mr. Woods. We understand that we have an option to vote nine by district yes or no, and we have the option presently to vote nine at large yes or no, and seven by district yes or no but not seven at large yes or no, so the issue is no longer one of cutting the Council to save money which was your big plea, oh let's cut back, let's save the city money, and I'm such a wonderful good guy and I want to save the city all this money, isn't it wonderful, so I am going to recommend seven people because I want to punish you, you didn't support my seven bill. We all know the game plan. We understand only too well Mr. Woods. I am going to vote to override only so I can introduce other legislation, otherwise I would abstain.

The Chair:

Do you understand the three questions?

Michelle Madoff:

Oh yes, and everybody else does too.

The Chair:

Thank you, and in other words you were just lying all along by saying you didn't understand.

Michelle Madoff:

I never said I didn't understand. We said we understood only too well.

The Chair:

If you want to override the Mayor, vote aye. If you do not want to override the Mayor you will vote no.

Michelle Madoff:

We better override or we can't change it.

The Chair:

Call the roll.

Mr. Wagner:

I have one request prior to, not a comment. That Council independently solicit a legal opinion other than from the administration on this issue as to whether or not it conforms with the mandate of the charter of how legislation should be written and I believe that there are two issues in one question.

The Chair:

Right now there's a motion on the floor. Before I entertain that motion I'm going to dispose with this motion.

Mr. DePasquale:

I will go along with the Post Gazette Rag and vote aye.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Grabowski	Mr. O'Malley
Michelle Madoff	Mr. Pollock

AYES 6 NOES 3

(MR. GIVENS, MR. WAGNER AND MR. WOODS VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

The Chair:

The vote is overridden. The Mayor's veto is overridden. Now are there are three questions on the ballot.

Michelle Madoff:

Until we change it and we are going to change it. But we couldn't change it unless we override the Mayor.

REPORTS OF COMMITTEES

Mr. O'Malley presented

Bill No. 1990

Report of the Committee on Finance for December 16, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1957

A Resolution entitled, "Resolution authorizing the City of Pittsburgh to accept the gift of the Buhl Science Center located in the 22nd Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1958

A Resolution entitled, "Resolution authorizing the City of Pittsburgh to enter into an Agreement with Carnegie Institute for a term of 25 years at a rental rate of \$1.00 per year."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES 1

(MR. POLLOCK VOTING NO)

And a majority of the votes of

Council being in the affirmative, the bills passed finally.

Mr. O'Malley presented

Bill No. 1991

Report of the Committee on Finance for December 18, 1986 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1830

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, "Fiscal", Article IX, "Property Taxes", Chapter 263, "Real Property Tax," Section 263.01, "Levy and Rate on Lands and Buildings", by levying the real property tax for 1987."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES 1

(MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Malley presented

Bill No. 1992

Report of the Committee on Finance for December 22, 1986 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1831

A Resolution entitled, "Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the year beginning January 1, 1987."

Which was read.

Also,

Bill No. 1832

A Resolution entitled, "Resolution fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1987."

Which was read.

Michelle Madoff:

On Bill 1832, I'd like to offer an amendment. In the Controller's Budget, the Controller's Office needs to have its temporary as needed positions restored, these employees feel a vital need as replacement for regular workers who are away on leave and having as needed

employees does not affect the budget in any way because as we are well aware, temporary employees are paid out of previously established salaries.

The Chair:

Do you have that in writing for everyone 48 hours before the amendment, or 24 hours before the amendment, in front of Council? I'm sorry, does every member of Council have that amendment in front of them?

Michelle Madoff:

I believe everyone got this, it was addressed to you Mr. Woods.

The Chair:

I don't have it.

Michelle Madoff:

It's addressed to Honorable Ben Woods and Members of Council and its dated --

The Chair:

I don't have that. I don't have that amendment in front of me.

Michelle Madoff:

Its in your office. Do you want to go into your office and get it.

The Chair:

I can't honor that amendment. Unless you have it in front of everyone from you, not a letter form from anybody else, thats the rules of Council. I cannot honor that.

Michelle Madoff:

Excuse me Mr. Chairman,

previously when something was important we broke to have it typed up, may I have that same privilege that you have extended to other members of Council to have that typed up and presented if you want it in writing, if you really need it in writing. This is the final budget.

Mr. O'Malley:

Point of order. We were supposed to discuss the vote on the budget as a whole. We are not supposed to entertain anymore motions for amendments.

The Chair:

She can do it. Go ahead.

Michelle Madoff:

May I have the Parliamentary rule on this.

The Chair:

If its not in writing thats Council rules. In front of every member I am not accepting that amendment. You have the right to amend but you're just not doing it properly.

Michelle Madoff:

Alright, and I am asking to amend and I am asking to waive the rule on writing because this is a very important thing and would curtail the Controller's Office.

The Chair:

I am not waiving the rule.

Michelle Madoff:

I challenge the Chair that we do not require that this be in writing because it is imperative.

Mr. Wagner:

Second.

The Chair:

All in favor signify by saying aye.
Role Call vote.

Mr. Wagner:

Just a suggestion to my colleague.
If she would like to introduce an
amendment all she has to do is just write
in one sentence and have copies of it
made and pass it out.

Michelle Madoff:

May I respond. You have done it
for others but you just don't want to do it
for me.

The Chair:

Is there any discussion on the
motion?

And on the question, "Shall the
motion pass finally?"

The ayes and noes were taken
agreeably to law, and were:

Ayes:

Michelle Madoff Mr. Wagner
Mr. Pollock

AYES 3 NOES 6

VOTING NO:

Mr. DePasquale Mrs. Masloff
Mr. Givens Mr. O'Malley
Mr. Grabowski Mr. Woods
(Pres't)

AYES 3 NOES 6

And a majority of the votes of
Council not being in the affirmative, the
motion was defeated.

The Chair:

Now is there any other discussion
on any other bills?

Michelle Madoff:

Mr. President, you are going to
have to tell me because I always get
ruled out of order and the rules apply
differently to other people, so you have
to tell me if I am in the right spot. On
my formal motion to decrease the budget
on the taxes, the 4% wage tax by 1/8
percent, the 2.10, 183 whatever it is, let
me get the exact number for you, from
2.125 to 2% is it too late to make an
amendment to do that?

The Chair:

Do you have it in writing for every
member of Council?

Michelle Madoff:

Thank you Mr. President.

Michelle Madoff:

For the record, I feel that it is —

The Chair:

You are out of order.

Also,

Bill No. 1833

A Resolution entitled, "Resolution
adopting and approving the 1987 Capital
Budget and 1987 Community
Development Block Grant Program; and
approving the 1987 through 1992 Capital
Improvement Program."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods (Pres't)

AYES 8 NOES 1

(MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

The Chair:

Mr. O'Malley, your Budget Address.

Mr. O'Malley:

Thank you Mr. Woods.

Today, as Chairman of Council's Committee on Finance, I have the honor of representing my colleagues in presenting Council's 1987 Budget Address.

I know I speak for everyone involved in the budget process when I say that some very difficult decisions confronted us when we began our work this year. Decisions that placed us on opposite sides of the table, but nonetheless had to be made. We reviewed the budget and we made our

recommendations, we disagreed and then we compromised, but most importantly, we worked together. As a result, I on behalf of my colleagues present to the residents of our great city a balanced budget with no tax increase for 1987.

We were able to accomplish this in spite of \$11.5 million less in federal revenue sharing funds and ten million dollars less in grants. In addition to these revenue losses we now face a flat growth rate in real estate and wage tax revenues. Yes, we had to make cuts, but not in the services that our residents deserve and expect. We did it by tightening our own belts, and with the support, and cooperation of our City employees. The unselfish pledge by most City employees to agree to a two year wage freeze is the most important and helpful part of this no tax increase budget. This budget is not only the result of Council's labor, but of every employee in the City of Pittsburgh.

In spite of our limited resources we were still able to add an additional forty police officers beyond the Mayor's proposal. Our Fire Bureau staff will increase by an additional nineteen firefighters, remaining at its previous level of 1,026.

The allocations for some Grants and Donations have been restored, making it possible to fund additional community groups and non-profit organizations, that would have literally disappeared along with their important and valuable services, if they did not receive the assistance of this City.

The total spending package for the 1987 Budget is \$279,511,053, — the first time in over a decade we have actually cut spending — a trend that is currently dictated by the times, but hopefully, will continue into the future.

In closing, on behalf of Pittsburgh City Council, I would like to take this opportunity to thank our Budget Staff: Jack Buckley, Pete Vaughn, Al D'Alessandro and John Mascio whose dedication and professional assistance resulted in the timely and orderly preparation of the budget. I would also like to thank the City Clerk, Michael Perry, and our Assistant City Clerk, Linda Johnson who tirelessly assist us throughout the year. These people along with their staffs are to be commended for the service they provided to each member of this Council.

I hereby recommend that the City Council of the City of Pittsburgh adopt our **1987 NO TAX INCREASE BALANCED BUDGET**, and I urge the Mayor of the City of Pittsburgh to accept our recommendations and revisions and to approve the 1987 Budget.

Mr. Givens presented

Bill No. 1993

Report of the Committee on Public Works for December 16, 1986 transmitting one resolution and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1854

A Resolution entitled, "Resolution vacating a portion of Brighton Road between Taylor Avenue and Sampsonia Street in the 22nd Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 1978

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title 6 - Conduct, Article I, Regulated Rights and Actions, Chapter 601, Public Order, by granting an exception for refuse placed on a holiday." —(SPONSORED BY MR. POLLOCK)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 1994

Report of the Committee on Planning, Housing and Development for December 16, 1986 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1929

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 234 of 1986 entitled, 'Providing for filing of a Community Development Statement by the City of Pittsburgh with HUD for a grant in connection with 1986 CDBG Program', so as to amend several line items to correspond to an increase in the overall grant from \$13,920,000.00 to \$16,777,000.00 (+\$2,857,000.00)."

Which was read.

Also,

Bill No. 1930

A Resolution entitled, "Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with HUD for a grant in connection with the 1987 CDBG Program. Providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signatures; creating a special trust fund in connection with the project; providing for the deposit of the funds in a bank account and providing for the payment of expenses within categories."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. Pollock
Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Givens presents

No. 1995 WHEREAS, Edward Skinger, recent graduate of North Catholic High School and enlistee in the United States Navy, has been selected as an Eagle Scout from Boy Scout Troop 327, Allegheny Trails Council; and

WHEREAS, Eagle Scout represents the sixth and highest level of achievement in skill, community services and scouting leadership; and

WHEREAS, only one out of a million rise to the rank of Eagle Scout; and

WHEREAS, Edward's scouting excellence, participation in track at North Catholic High School, volunteer work with St. Francis Xavier Roman Catholic Church and culminating with a civic project with the Brighton Heights Association, has made his parents, Edward and Mary Ann Skinger, his brothers John, Mark, Larry, Steven and his sister Teresa very proud of his achievements, character and service;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Edward Skinger on the occasion of his

education to the level of Eagle Scout for his outstanding achievements in the areas of skill, services and leadership.

Mr. Givens moved to adopt the resolution.

Mr. DePasquale seconded the motion.

Which motion prevailed.

Mr. Givens:

Along with the parents of Edward is his scout master and Mr. Anthony Shern. He is a scout master at troupe 327, I'd like to bring him forward to say just a few remarks about Edward and his parents.

Mr. Shern:

Thank you Mr. Givens. On behalf of Edward Skinger, his parents and myself, I'd like to thank the Councilmembers for the honor of this resolution. It was gratifying to recognize the fact that the City of Pittsburgh shares with us in acknowledging scouting's highest honor. Edward has been in troupe 327 under my supervision since the age of 10. He has worked hard in achieving the goal of Eagle Scout. As you can see by his merit badges, his education has been enhanced by his learning experiences in obtaining the badges. The qualities of leadership have been instilled in him by the experiences of working with younger scouts. I feel that he is more aware of his civic responsibilities as a result of his scouting. It has been said that scouting makes men out of boys. This is one young man that we are very proud of. We thank you.

Edward Skinger:

I'd like to thank all of the City Councilmembers for their interest in my

achievements in presenting me with this Resolution. I'd like to thank my scoutmaster Anthony Shern, his assistant Ronald Novak for the leadership and the guidance. I would also like to thank my parents for their understanding of my values of scouting and giving me a good home environment. As you well know I have just enlisted in the naval reserve. I will be leaving at the end of this month, and I know that my scouting experience will be a good foundation for my future career. Thank you.

Mr. Givens:

His mother Marianne and his father, who you see is a fellow officer on the Number Nine Police Station, we thank them very much. The parents diligent effort with their children, without this Edward probably would not have obtained this. Between that and the scoutmaster and his own initiative, he has obtained something that only one out of a million kids in this country obtain, and I think our hats should be off to him.

Mrs. Masloff presents

No. 1996 Resolution approving the reappointment of Helen Hughes, 4433 Schenley Farms Terrace, Pittsburgh, PA 15213, for a term to expire December 31, 1988, as a district member of the Pittsburgh Cable Communication Advisory Committee.

Which was read.

Also,

No. 1997 Resolution approving the reappointment of Hetta Sherapin, 4478 Parade Street, Pittsburgh, PA 15207, for a term to expire December 31, 1988, as a district member of the Pittsburgh Cable Communication Advisory Committee.

Which was read.

Also,

No. 1998 Resolution the reappointment of William Freedman, 2396 Valer Avenue, Pittsburgh, PA 15210, for a term to expire December 31, 1988, as a district member of the Pittsburgh Cable Communication Advisory Committee.

Which was read.

Mrs. Masloff moved to approve the reappointments.

Mr. DePasquale seconded the motion

Which motion prevailed.

Michelle Madoff:

New subject. I was ruled out of order. I think that it is appropriate that I address the issue now. As we all know, the issue of whether or not we are going to fund our defense case against the Metropolitan Pittsburgh Crusade for voters was before Council. Personally, I voted no, the people who voted no were Michelle Madoff, Mrs. Masloff, and Mr. Pollock. We voted that we would not support a lawsuit against the group that wanted equality, wanted an opportunity to let the public vote yes or no as to whether they wanted election by district or at large. I have been told the law department.

The Chair:

Wait a minute Michelle, point of order. The lawsuit does not say anything whether it there should be an election of district by district or at large. That is not why they are suing us. They are suing us because there is not a black on Council.

Michelle Madoff:

Thank you. I'm glad you are speaking for me, it's always helpful. The Metropolitan Pittsburgh Crusade started its action for election by district because they felt the only hope they had of having representation on this Council with 25% voters, of having at least two members on Council being black members, was to support the election by district. My feelings are —

Mr. DePasquale:

Michelle, this is completely out of order.

Michelle Madoff:

I am not out of order, I am on another subject. If you wish to leave the park, goodbye. I have been informed by the law department that they have been trying to corner me for a meeting, they need 1/2 day in order to have my deposition.

The Chair:

Michelle, I'm gonna have to interrupt you. I am going to have to adjourn. We don't have five members present in Council.

Michelle Madoff:

I thought we only needed five when we start. When did we change the rules?

The Chair:

We need five to even adjourn.

Michelle Madoff:

Well, all I can tell you is they can put me in jail but I'm not going to be available for the subpoena. That's the message.

Mr. O'Malley:

I move to adjourn this meeting and meet again on Monday, January 5, 1987, at 2:00 p.m. But, in the event of a Mayor's line-item veto on the Budget, Council will meet Monday, December 29, 1986 at 2:00 p.m.

Mrs. Masloff seconded the motion.

And on the motion of **Mr. O'Malley**

Council adjourned.

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Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXX

Monday, December 29, 1986

No. 50

Municipal Record

ONE-HUNDRED TWENTY-FOURTH COUNCIL

BEN WOODS President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON Asst. City Clerk

Pittsburgh, PA
Monday, December 29, 1986

PRESENT:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

I'd like to thank everybody for coming in here to have this meeting. As you all know, the Mayor has vetoed eight items in the Budget. I'd like to go through them.

The Chair presents

No. 1999 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, returning with his line item vetos Bill No. 1832 entitled, "Fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1987", and also Bill No. 1833 entitled, "Adopting and approving the 1987 Capital Budget and 1987 Community Development Block Grant Program; and approving the 1987 through 1992 Capital Improvement Program."

Which was read, received and filed.

City of Pittsburgh
Richard S. Caliguiri, Mayor
December 29, 1986

President and Members
Pittsburgh City Council
Fifth Floor City County Building
Pittsburgh, PA 15219

Dear President and Members:

I wish to commend Council for the expeditious and thorough consideration of the 1987 Budget. Inasmuch as the total appropriation exceeds my proposal by a net figure of only \$600,000 (less than one-half of 1%) I have signed the appropriation bill into law.

I cannot, however, approve \$1.5 million in spending initiatives authorized by Council in the Salary Budget Resolution and in the Capital Budget

Resolution which have been paid for by anticipating higher revenues or selling additional debt. I am, therefore, returning these resolutions with several line items vetos as listed below.

SALARY RESOLUTION (COUNCIL BILL 1832)

Item # 1: Department of Personnel and Civil Service Commission
3 Members,
Personnel Appeals Board
\$9,450

I have vetoed the salaries being granted to the City Personnel Appeals Board members. The history of this generally inactive Board does not justify paying them as employees or making them eligible for benefits that can add as much as \$10,000 per year per member to the City's cost. During 1986, the Board heard an appeal on only one issue due to the fact that most employees deal with grievances through the collective bargaining process or the Civil Service Commission.

I have proposed that, in line with other more active City boards and commissions, the Appeals Board be paid a per diem only when appeals must be heard. Our estimate is that no more than \$1,800 needs to be appropriated saving \$7,600 in salary costs and a potential \$10,000 in benefits.

ITEM # 2: Department of Finance
4 Auditors, 4 Investigators
\$113,919

My administration has initiated a number of programs to seek out and, if necessary, prosecute tax evaders and cheaters. These efforts will continue. I am not satisfied that involving more personnel will be cost effective and prefer to explore alternatives that do not involve increasing City overhead.

ITEM # 3: Department of Public Safety
40 First Year Police
\$429,000

Plans for police deployment have been the subject of numerous reviews and public hearings over the last year. My recommendation of 1135 persons in the Bureau exceeded the consultants recommendation but was submitted in my budget proposal so that we could carefully examine the impact of the reorganization. I intend to support the Department's initiatives thereby making the 40 additional positions (funded by Council for nine months without benefits or support costs) unnecessary.

ITEM # 4: Department of Public Safety
19 First Year Firefighters
\$310,232

As indicated to Council during the budget hearing process, the City must offset the increased costs presented to us in the salary arbitration through the reduction of companies and, we can achieve this without impacting the delivery of effective fire service and without layoffs.

The combined cost of the arbitration increases to police and fire personnel for 1986 and 1987 is \$6 million. Clearly, if the City is to be serious about cost control and broadening our revenue base, we must demonstrate that we can manage our resources efficiently and effectively. Public Safety, as the single biggest expense of the City, cannot escape that scrutiny. Further, portraying Council's changes in either the fire or police budgets as making a substantial change in service delivery has not been supported by any facts.

ITEM # 5: Department of Water
Engineer
\$42,606

As I advised Council, we have created a special engineering unit headed by an Assistant Director level position and appropriation support staff. This position is redundant.

ITEM # 6: Other Authorizations
Out of Grade Pay

I have deleted a paragraph making provision for payment off grade to newly recruited employees. This entire paragraph, including language added by Council, is not required and, therefore, I have deleted the entire section in accordance with Council's wishes.

ITEM # 7: Other Authorizations
Management Employee
Benefits

I have deleted language inserted by Council which would prevent me from extending to management employees benefits enjoyed by union employees. I do not believe this was Council's intention.

CAPITAL BUDGET (COUNCIL BILL 1833)

ITEM # 8: Dean Field Improvement
\$470,000
(NPA-Bond Funds)

While I have left stand Council's moving \$330,000 of COMMUNITY Development Funds to 1987 for this project, I do not approve, and have vetoed, the addition of another \$470,000 in bond funds for replacing the surface of this field. The \$330,000 is sufficient to provide a first class recreational field and this improvement can begin in the near term. Making it a larger and more elaborate project will necessitate the

improvement being pushed back a number of years as it cannot be a priority when the City is facing many other urgent capital requirements.

OTHER ITEMS

Council has added four road service drivers (making a total of 14 rather than the 10 needed) in the Department of General Services. If I vetoed this item, there would be no authorization to pay the remaining employees. I will let the item remain, but we intend to move toward keeping only 10 employees in this function and contracting out the non-City tows. This reduction will save an additional \$87,429.

Finally, despite the serious financial problem faced by the City, Council has authorized continuation of and, in some cases, additional grants and donations. While many of these are worthy causes, without an increase in our revenue base, City government cannot be the only municipal government in the area called on to support such functions.

In those cases where departments have been elected to administer the grants, legislation will not be submitted until we get a better reading from the Legislature on where our request for a broader revenue base is headed.

Further, on those requests not under a department, I am advising the City Clerk and Controller that I do not authorize the issuance of a warrant under my name until such time as their legality is ruled on by the City Solicitor. Some of these grants and donations may be eligible and legal under the Unspecified Local Option Funding and should be reviewed through that process.

In closing, I wish I could tell Council that the need to say "NO" will go away in the near future. In fact, I think it will take more discipline to balance the budget in the future.

Working together, important gains have been made in our financial picture but more needs to be done. We need to bring all segments of the City, private groups, institutions, the media and the general public into the effort to secure a broader revenue base. As a clear sign of that united effort, I urge you to sustain these vetos.

Sincerely,

Richard S. Caliguiri
Mayor

The Chair:

Now, I'll just go through each item that the Mayor has vetoed one at a time and we'll vote on them in that order.

Item No. 1, the Department of Personnel and Civil Service Commission, 3 Members, Personnel Appeals Board, \$9,450. He has vetoed that item. I need a motion to override.

Mr. DePasquale:

Motion to override the veto.

Mr. Wagner seconded the motion.

Mr. Wagner:

Discussion. Mr. President and members of Council, this Board has proven over the years to be a very valuable entity to City government. It has been another opinion for employees that feel they have been mistreated. There was one decision put forth by the Board approximately three years ago that was considered to be accurate in

other courts and just recently in this past year we had several demotions and transfers of police officers and detectives and this Board overrode the decision of the Administration. That decision has been appealed. However, the Board itself has provided a very valuable alternative opinion to decisions made by the Administration.

For that reason, I feel we should override the veto.

Michelle Madoff:

Mr. President, you are aware, as we are, that nobody saw this until — I called here several times on Friday, Mr. Perry and Ms. Johnson. I called the Mayor's Office, I called his assistant, Dave Donaohe. Nobody knew when the veto, if any, was going to come over and what it was going to contain. So, nobody had a chance to peruse or to read what is happening. We were notified this morning that there would be a meeting at 2:00 and we all got here as quickly as we could. I got here and typed some notes up on some positions that I have.

In the second paragraph of what we're voting on right now, may I have your permission to read. The Mayor says, "I propose that in line with other active City boards and commissions, the Appeals Board be paid a per diem only when appeals must be heard. Our estimate is that no more than \$1800 needs to be appropriated saving \$7600 in salary cost and a potential of \$10,000 in benefits."

My concern with this is that a number of years ago, I believe this is the same Appeals Board and correct me if I'm wrong, Mr. President, that this Council felt, perhaps even a majority of this Council felt, that we shouldn't be paying for a board that never met. I think they met maybe once or twice that

year. Do you recall? This is the same appeals board, is it not? The one Martin Kraus chairs?

The Chair:

Exactly the same.

Michelle Madoff:

But since that time so much has happened that has become prudent to have this board reinstated and become a working board because we have so many hearings before it. Am I correct on that? There have been a number of hearings before this board so it has now become a necessary board. My question is, does the Mayor have any validity in claiming that we are not going to have very many or sufficient appeals to warrant the setting aside of \$7600 in salaries and \$10,000 in benefits, because I believe that that was the problem. There were salaries given to people who didn't have to be here and they were getting benefits. As a matter of fact, as I recall, they asked for an increase in their benefits at that time. They weren't even holding hearings.

I want to do the fair thing. I think we need the bill but I don't think that the suggestion by the Mayor is out of line. If they have a lot of hearings, they're going to get paid and it will exceed the money and we'll find the money.

Mr. DePasquale:

Mr. Chairman, I beg to differ. The reason a lot of employees in the City of Pittsburgh don't go to the Personnel Appeals Board is that they don't know it's available. They don't even know it's there, and the City is not trying to let them know it's there. If more people knew, more people would go and they'd have a lot of work to do down there.

The Chair:

I agree and let me say something. This is mandated by the Home Rule Charter, the Appeals Board. I, like Mr. Wagner and I think most of us, agree that it should be there. I would ask my colleagues to override the Mayor.

Secondly, they did get paid a per diem. We changed this I believe it was last year, \$150. We're only allocating money so that they can be paid up to that amount. If they would exceed that, naturally they would come back. So, I totally disagree with the Mayor and I think we should override the Mayor on this issue and I think, and I've asked the Personnel Department to notify all City employees when they send out a paycheck that they're not covered by a bargaining unit with a little note saying that the Appeals Board does exist. I've asked them that on a number of occasions and they have not done it yet and I think when this new year comes perhaps we can pass some kind of legislation or resolution to ensure that all employees will know that this board does exist and they can utilize it.

Michelle Madoff:

Mr. Chairman, I would be happy to support voting for the legislation providing you do exactly what Mr. DePasquale and you were talking about. Let's have some display ads or let's have a letter going to every employee in the City knowing that this board is available to them.

The Chair:

That's what I just said.

Michelle Madoff:

Well I'm just saying that I would support it if there's some mechanism, a

letter of some sort that would go say with payroll automatically informing everybody that this board exists. I don't see any purpose in funding a board if we're not going to let people know that its there and I think it's become a necessary board, it's become activated, and I'm prepared to vote with it.

The Chair:

Okay, if you are voting to override, please vote aye. If you don't want to override, vote no.

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the motion passed finally.

The Chair:

Item No. 1 is overridden; it will stay in the budget.

Turn your papers to Item No. 2, Department of Finance. This is adding four auditors and four investigators. I need a motion to override.

Mr. O'Malley:

Motion to override.

Mr. DePasquale seconded the motion.

Mr. O'Malley:

Discussion. Mr. President, I think the Administration in this one item is being penny-wise and pound-foolish. I think that any time anybody that was present during the Treasurer's presentation in front of City Council understood the Treasurer to say that they did not have enough personnel to do the work but in keeping with the Administration's policy of not adding additional personnel, the Treasurer has agreed to hold the line. In my discussions with him, he has indicated to me that just in comparing the state income tax against the City income tax, that they are years behind. That along with the additional workload that hopefully will come up this year with the many censuses that the City has agreed to do, I would agree with my colleagues that we should override this veto, especially with the fact that an auditor brings in four and a half times his salary and an investigator brings in ten times his salary. So, these eight positions here are going to generate additional revenue for the City of Pittsburgh and not really cost us any additional funds.

Michelle Madoff:

I'd like to ask a question. Was this discussed with Mr. Schmeiser, and he wanted it.

Mr. O'Malley:

Yes.

Michelle Madoff:

He said he needed four auditors and

four investigators?

Mr. O'Malley:

Mr. Schmeiser indicated that he could use the additional personnel.

Michelle Madoff:

But he's not in a position politically, obviously, to say, "I need this" and you felt that as the Finance Chairman that it would enhance our income to the City?

Mr. O'Malley:

It would bring us an additional maybe \$300,000 to \$400,000 in additional revenue, these eight positions.

Michelle Madoff:

But it will cost us almost that when you talk about \$114,000 plus the benefits. There will be no addition.

Mr. O'Malley:

The auditors have been proven to bring in four and a half times their salaries and fringe benefits, Michelle, and these are the figures Mr. Schmeiser gave me. The investigators bring in ten times their salaries and fringe benefits. So there is a net plus to the City of Pittsburgh.

Michelle Madoff:

The Mayor says, "My Administration has initiated a number of programs to seek out and if necessary prosecute tax evaders and cheaters." Didn't you have another bill, Mr. O'Malley, that was going to determine people who are not paying their taxes to the City that we did vote on and did put in the legislation? It's the same kind of thing.

Mr. O'Malley:

No, what that is, that was just a mini-census to go out and conduct our own census in the City of Pittsburgh to see whether everybody is paying their fair share. It's my estimate that we're losing between \$6 million and \$12 million. If my figures are correct, that's all the more reason that we're going to need the auditors and the investigators.

Michelle Madoff:

May I make a suggestion? I think that we ought to go with the Mayor on this one and I'll tell you why. If your bill, which I think is an outstanding bill, Mr. O'Malley, to determine on the mini-census who is evading payments to the City does indeed point to the fact that we're going to need the auditors and the investigators, we can always do that next year. I think we really should deal with finding the problem and then dealing with the problem afterwards. I really think that this is a bit premature because obviously Mr. Schmeiser and the Mayor must have conferred on this and he must have convinced Mr. Schmeiser that the job could be done without adding these eight jobs. I'm prepared to almost override on everything else but I think on this one I'm going to defer to the Mayor.

Mr. O'Malley:

If I might make one last comment. If anybody has worked with the Treasurer's Office and if anybody has spent any time down there, they know how overworked that staff is. And this really wasn't put in as companion legislation with the census legislation. This is just to help the Administration and the Treasurer's Office to keep up with their current workload, Michelle.

Michelle Madoff:

Question. Is it possible if we override to cut it in half or do we lose it entirely?

The Chair:

You have to do one or the other.

Michelle Madoff:

One or the other.

The Chair:

If I may, I'd like to ask my colleagues to override this. I think that when we interviewed Mr. Schmeiser and Mr. Schillo here he indicated that they were going to go out and seek outside help, outside contractors to come in and do this type of work. So, we're going to do that and a number of you constantly are remarking about us using outside consultants, outside people to do this type of work, so here's your chance to put our own people to work and hire eight positions.

Michelle Madoff:

I don't think that's the issue. I don't think the issue is whether we go outside —

The Chair:

I'm saying, Michelle, that when we discussed this at the committee table during the budget process with the particular department, these are some of the things that they brought out, that they could do this with outside people. And that's all I'm bringing to light.

Michelle Madoff:

Wouldn't it be more cost effective — they could still be City residents, they

wouldn't have to be non-City residents, but we wouldn't have the burden of the benefits on it. I'm afraid that — My gut feeling is that the other bill that Mr. O'Malley introduced will do the job and I think if it proves that we need this I think we can put it in next year's budget.

The Chair:

Okay, if you want to override the Mayor's veto, vote aye. If not, vote no.

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Woods
	(Pres't)

AYES 6

NOES 3

(MICHELLE MADOFF, MR. POLLOCK AND MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

The Chair:

The veto is overridden.

On Item No. 3, Department of Public Safety, 40 First Year Policemen. Is there a motion to override?

Michelle Madoff:

Motion to override.

Mr. Givens seconded the motion.

Michelle Madoff:

Discussion. As we were coming into session today and I was preparing a little statement on another item that is being vetoed, I had a phone call. This phone call is indicative of hundreds of calls that all of us on Council receive. A gentleman called, I'm not going to give his name because I didn't ask him whether I could give his name but I don't think it would be a problem. He had a 14 year old who was over using the Press facilities last night to do some photographing; his hobby is photography. He was going to the main Grant Street Subway Station last night at 7:30 and he was attacked by three male adults. He was beaten up pretty badly. His pants were taken from him. He was a young kid without his shoes and socks and pants and he was made to stand there like a fool. His camera was taken from him. The young man spends a great deal of time Downtown and he's never seen a police officer.

It isn't that it was one time that this happened and there aren't police around; we just don't have enough police on the street. And with the numbers of police officers that are retiring by attrition, we are not going to even hold the line on the numbers that the Mayor has committed to maintaining, which I believe is 1,035. Does somebody have the correct figure? I think that's the number. There's no way we can get classes in fast enough, even if we started this minute and we never do. We have lists that we have to draw down and so on.

I also think that people like Mr. Cannon and Superintendent of Police Moore are in awkward positions. It's very difficult for them to say, "I want to have more police officers; I want to do

the right job, and I'm going to ask you to support me and not support the Mayor." They can't say that because they get paid by the Mayor, they get hired by the Mayor, and they would lose their jobs. So, I think that we have to protect the citizens and certainly move to override this veto.

Mr. Givens:

As you know, Mr. President, my office has undertaken the study of the departmental growth over a ten year period as it related to the growth of the total expenditures of the City itself. It's interesting to note that over 300 some responses have come back. This is bipartisan; committeepeople vote from the Democratic side and Republican side who are leaders elected by the people in their community as well as all neighborhood groups. Those were the people who responded to this particular survey.

It's interesting to note that within the Public Safety dollar that we give for and to the people of the City of Pittsburgh, that that particular department has decreased in the last ten years over two percent with the Mayor's existing budget as he proposed it to Council. With this additional, it brings us up at least just barely even of an even-steven in the Public Safety area. It's interesting to note that eight other departments, however, in the City have gone upwards in their particular cost of government. Some of them considerably. Even the Mayor's Office some 70-80 percent increase. Of course, he can justify a lot of that but we as Councilpeople here must listen to the people. The Mayor indicated that this is not a great concern of his and I asked him then to attend all of our Council session when we have the neighborhood groups coming in here and asking for that type of police support that we must need

and do need.

In that survey that went out and the answers that came back, the two major areas that that people had greatest concern, again, these are the people responding to us, indicating that the Fire Departments, the eight Fire Departments as well as the Police Department. The Fire Departments had an exceedingly high rating of response time and everything else and they have one of the best ratings in the City of Pittsburgh and that's why we have a good department out there. However, the Police Department did not have that and some of the biggest responses for that reason that they were not happy with the Police Department, and this is coming off of their statements, not mine, but we can listen to the arguments that come before this Council and the public hearings that we have before this Council, we can walk out on the streets of the City and hear our people and they tell us the same thing. That survey indicated, the main concern emphasized in that survey were the need for more police officers, better visibility, and quicker response time. That was the key. In addition, the residents were also concerned with the proposed closing of eight fire companies; they do not want the eight fire companies to be eliminated.

That was the guts of my effort in this particular 1987 Fiscal Budget. I felt I was responsible. The Mayor indicated in his letter to us that where is the evidence. The evidence is, at least on this Councilman's part, a survey that went out. Our evidence is in the people that come in before this Council and appeal for us for that Public Safety area and the other addition is, to back all that up, is a survey from our people in the field out there that indicated the same thing to us. That's three different ways. I don't know what other better

way we can do it than go and be elected at the polls and see where the people elect us and why they elect us. I think they elect us because we fight for what we feel is their primary concern out there.

So, the fear is real; it is now time to eliminate that fear. That's why we must go for this 40 additional police officers, only for really a three month appropriation.

Mr. Wagner:

Mr. President and members of Council, Item No. 3, in reading the reasoning behind it, it concerns me tremendously in that the second sentence indicates that my recommendation of 1135 persons in the Bureau exceeded the consultant's recommendation.

Number one, the consultant's recommendation was not the consultant's recommendation. Right in the consultant report it indicates that the Administration told the consultant how many police officers was the appropriate number. What is the appropriate number? We all have talked about it and we thought a consultant report would clarify that. We found out it didn't. Is the correct number 1135? Is it 1200? Who knows? All I do know, as Chairman of Public Safety, is that in 1986 all crimes in this City are up in comparison to 1985 and solving of crimes is down in comparison to 1985 and previous years. We also had in 1986 a banner year for retirement of police officers and every indication is that 1987 will be equal to or greater in terms of retirement.

I think several factors can be related to crimes and the solving of crimes; it relates to the sociological conditions in the City, of which I don't think there have been any significant changes in the City of Pittsburgh within

the last couple years. It can relate to the management within the Public Safety Department and particularly the Police Bureau. There have been significant changes and it can relate to the number of police officers actually out there on the street working and hopefully preventing crime from happening. There have been significant changes there.

We're all shooting from the hip in terms of the number so based on what we've heard out there and what we've heard the citizens tell us, that they need more police officers, they want to see a beat officer, they want to see a police car go down their street more often, I think it's good judgment for us to put in the budget a few extra police officers and fund them for a portion of the year and if the need exists, and I believe it will, to hire them. It's that simple.

Michelle Madoff:

I have one question. Mr. Givens, how many people were in your survey? How many people did you survey?

Mr. Givens:

About 1100.

Michelle Madoff:

Was it sent from your office?

Mr. Givens:

Yes.

Michelle Madoff:

Was it done with City funds?

Mr. Givens:

No.

Michelle Madoff:

Because I was going to ask you to share it with us because I think it's a very important survey and I would love to see the results.

Mr. Givens:

I gave you copies of it.

Michelle Madoff:

I'm sorry; I guess I have it in my office. But I think that's a very important, a very indicative example of what the people are thinking and —

The Chair:

Alright, wait a minute. You did the survey; that's fine. Share it with your colleagues. Enough is enough.

Mr. Pollock:

City stamps.

The Chair:

Enough is enough. It's not City stamps; it's just City paper out of his own pocket. It was his own stationery and you're out of order.

Michelle Madoff:

Mr. President, that wasn't my concern.

The Chair:

I know it wasn't your concern.

Michelle Madoff:

My concern was —

The Chair:

Ms. Madoff, I am not speaking to you. I know it was not your concern; it was another colleague of ours. I straightened it out.

Take the vote. All in favor of overriding the Mayor will signify by saying aye; those opposed will say no.

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the motion passed finally.

The Chair:

Item No. 3, 40 first year police officers, is overridden.

Item No. 4, Department of Public Safety, 19 first year Firefighters. I need a motion to override.

Mrs. Masloff:

Motion to override.

Mr. DePasquale seconded the motion.

Michelle Madoff:

Mr. President, as you know, during the budget process I kept trying to set an example of encouraging people to move in the City by lowering our wage tax by a very small amount, by one-eighth of one percent and just as a token symbol of where we're going.

In the process, as you know, I discovered many things. I discovered, for example, that the Zoo and the Aviary cost the City residents only \$2.4 million, and that's a very conservative figure, every year above and beyond what is paid at the gate and generated in revenue from concessions.

One of the other things that I discovered which was my reason for wanting to justify a cut in the wage tax was that things like \$4.8 million was spent in three years on consulting fees and that my perusal of former budgets where I had generally put out a summary or review of the budget indicated that every time it was stated to us, and particularly to me very rudely by former Presidents of Council that I was stupid and didn't understand that we only had \$3 million or \$5 million in the surplus of the budget at the end of the year. I would always be proven not only correct but five times over what I anticipated. If I said there would be five million or seven million we'd end up with 12 million.

After looking at the figures, it is my opinion and I'll either be proven wrong or correct in the coming year, that the dollars that will be generated in surplus from monies that we anticipate in revenue collections from various sources, be it real estate or whatever we generate our revenues from will far exceed the dollars that would be allocated to the general protection of the public and that would be first and foremost, of course, fire and police

protection. I think people are entitled to those things and I don't think we can skimp. The worst thing that's going to happen, and the public ought to know this, and at some point perhaps you will state it at the end of the summary, Council can vote to put all these back in but we can't make the Mayor fill the jobs. Is that correct, Mr. President?

The Chair:

You're absolutely right.

Michelle Madoff:

I think you might want to comment on that because people are listening and I think they need to know that. We could stand on our heads and wiggle our toes and it isn't going to make any difference. If the Mayor doesn't want to fill these positions, and it has been stated by a number of people that when we started this exercise many years ago and in the last few years the shortage of police has been estimated at 105 police below minimum security. And that was before we went to the business of having tremendous numbers of police officers leaving by attrition. And I don't think that we can shirk our responsibility on passing the dollars to make these jobs available. But the next thing we're going to have to do is get support from the public and that is, the public is going to have to get to the Administration and say, "You've got the money; how about filling the jobs?" And I'm counting on the leadership of the Fire Department and the leadership of the Police Department, Pat McNamara, to do something to make sure the public gets behind it because this is really an exercise in futility if we put the money back in and it isn't appropriated and spent.

Mr. Givens:

I think it was very evident in the Mayor's letter to us he indicated that what's supported by any facts. Why do we need these eight fire companies to remain in service? It was very dramatic I think to all of us when the firefighters' union came before all the Councilpeople and depicted on their operational board what happens in a typical day within a City of Pittsburgh Fire Department. And when you see what really happens, when you see the movement of one station to another, and backing up most of our hospitals, our universities and where our people live within the City, our major structures in the Downtown area, there is a tremendous amount of movement.

The Police Department generally, they stay right within their district. However, fire departments, they move from one end of the City to another, depending upon the response because a fire generally is not over in 15 or 20 minutes. A fire sometimes takes two, three, four, five hours and probably a rig it out of service for maybe a half a day and then they have to go back and rewind the hoses and clean them and everything else. So, there is great deployment in the City, amazingly a great amount of deployment in the City for one reason and one reason only, and that's for response time for the people who live, play and work within the City of Pittsburgh.

And that equates out in another dollar. If we don't have that type of response, then we're going to pay for it back in the fire insurance that we have for our homes, our businesses, our university, our colleges, our hospitals and everything else. Something else is going to go up. Personally, I want to have that response time and I think we're will to have to pay for that by holding that

line. And again that survey indicates that they're very happy with the Fire Department. On the other hand, they do not want to see a decrease in their Fire Department. They're willing to hold the line when it comes down to Public Safety.

Mr. DePasquale:

Mr. Chairman, in regards to the urgency and the need, I received a lot of phone calls and letters and probably all of my colleagues did, and probably there's as much concern or more with the Fire Department regarding the Police Department. It's that serious a matter and if we would have closed those houses and eliminate some of the companies, it just wouldn't work and nobody knows that better than the Fire Department. As Mr. Givens said, they showed us a chart and I only wish everybody in the City could have seen that chart. It scares you to see what would happen if they did close those houses or discontinue those companies.

The Chair:

On Item No. 4, 19 first year Firefighters, if you are in favor of overriding the Mayor, please vote aye. If you are opposed, vote no.

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner

Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES 9	NOES none
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And a majority of the votes of Council being in the affirmative, the motion passed finally.

The Chair:

The veto is overridden.

Item No. 5, Department of Water, Engineer. I need a motion to override.

Michelle Madoff:

Motion to override.

Mr. DePasquale seconded the motion.

Michelle Madoff:

Discussion. I tried to get a little note down. As I said, we all got all this information at the very last minute. My office has been doing some in-depth studies for a number of years. As you may recall, some time ago I presented this Council, before the creation of the Water and Sewer Authority with information I had received from interviewing most of the supervisors and chief personnel in the Water Department where they needed \$1 million in equipment. We got no money for years and that year we were thrown \$55,000 to the Water Department. The Water Department was allowed to deteriorate to the point where we would need a Water and Sewer Authority. The Water and Sewer Authority unfortunately is only a vehicle of raising money. It really has exercised until this time very little influence and power over the Personnel, the Administration of the Water Department. The people don't understand the Water Department operation is handled by a Water

Department within the City of Pittsburgh so that the same people who work in the Water Department would be eligible for their benefits, the Public Works Department that does the sewers repair, and Engineering and Construction lets the contracts when we go outside of the City and even promulgates the request for proposals or the design engineering that we do in house.

It is unfortunate that what I've discovered through very careful review, and I'm meeting with Mr. Roddey, I have an appointment with him on the sixth of January, -- he even has a Master's Degree in Business Administration. His strength, and I believe, he probably does an outstanding job as an administrator. One would assume that he is qualified, after making that comment and reviewing what I have, a Water Department. However, on closer review it appears that to run an efficient, safe Water Department, a mandatory requirement is that the second in command to the head of the Water Department be an engineer with expertise, and that's strong expertise, in water pressure flow, characteristics of water flow, hydraulics, water treatment, purification. And these are absolute requirements.

Our Water Department has the cart before the horse and the two divisions that have been created by Mr. Smith, we have a chemist who heads up a pumping and purification division who has very little hands on knowledge in his division, and that is experience in pumping and purification. We also have a person who has practically, to my knowledge, to engineering degree whatsoever. It seems that both of these department heads are backed up by other people so that when we get into a crisis in a community that has hills and valleys, only then do we call on the qualified engineer within the Water Department, and that is Mr.

Bruecken. And I repeat, it doesn't happen until after the crisis; it's never before. For example, when I broke my arm and ended up in the hospital, there were five hospitals without water. That is an impossible situation. It practically wouldn't happen in Third World nations that they would be without water for days as the hospitals were. There was nobody who understood water pressure and water flow in charge.

When the big break occurred in Highland Park, I was there day after day watching the repairs. People didn't know what they were doing. We had to call in outside consultants for help and materials.

Only after we get into trouble do we start looking around. There's nobody there from the minute it happens. It's a hierarchy, it's bureaucracy that has been created to promote and to run things in a manner which I find not in the best interest and the best safety interest of the public. And what I would like to see happen is that we retain our engineer to protect ourselves and make sure that that person is the number one person next to Mr. Smith, that his qualifications are exemplary, that he is indeed someone who is trained in all aspects of providing safe water from an engineering point of view. And I would ask my colleagues to support that because if we don't get that position filled, I will encourage, the next time there's a major break and communities without water, the community to take litigation against the Water and Sewer Authority. I will be an amicus to that lawsuit and I'll tell you that under discovery in a court of law, we're all going to be embarrassed. What I'm telling you is not supposition; it is fact. The Water Department is in a very sorry state and it is only surface icing and window dressing that we're seeing by saying, "Oh, we do miles of repairing pipes and we're doing this and we're

doing that." The fact is, the water rates are going up horrendously and we don't even have somebody with expert knowledge in an engineering position. I talked to the Mayor about it last year and he agreed. I talked to this body and we put it in last year and the Mayor has taken it out. Please, I ask you to leave it in.

The Chair:

Okay, all in favor of overriding the Mayor's veto, please signify by saying aye. Those opposed, no.

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mrs. Masloff
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
	(Pres't)

AYES 8 NOES 1

(MR. O'MALLEY VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

The Chair:

The veto is overridden.

Item No. 6, other authorization, out of grade pay. I need a motion to override.

Mr. DePasquale:

So moved.

Mr. Wagner seconded the motion.

The Chair:

I would like not to sustain the Mayor's veto on this one. This is giving permission for the Mayor to pay, or the Administration, anybody, to pay over-grade pay. If somebody is making \$20,000 a year, they could arbitrarily pay them \$25,000 and we don't want that and this is an error in the budget.

Mrs. Masloff:

Is this just a bookkeeping matter?

The Chair:

Yes.

Mr. DePasquale:

Point of clarification. If we're voting to sustain, then we have to vote aye.

The Chair:

You have to vote no because the motion was to override.

Mr. DePasquale:

Okay.

The Chair:

The motion was to override so if you want to sustain the Mayor's veto, you vote no.

Mr. Wagner:

Point of clarification. It indicates here this entire paragraph including

language added by Council is not required and therefore I have deleted the entire section. Does that mean that he can still move forward and do this without this paragraph?

The Chair:

No, he cannot. That's a mistake in the budget and we okayed it. We even added something; I forget what it was. But, if we sustain his veto, that means he cannot do that.

Mr. Wagner:

There's no possible way it can be done.

Mr. Givens:

The point of clarification that I had was the fact that this Council was just asking if the Mayor can do this. But what we are asking in our budget, which is the law of the City, is that this come through Council for approval.

The Chair:

No, that's the next item, on benefits. But now he cannot do it. By deleting this — you're right. In fact, Jack, you had that in there, put that amendment that it must be approved by Council if he was going to do this. But now by sustaining his veto, he cannot give anybody any more than what their grade pay is. If they make twenty, he can't arbitrarily say, okay, you do good work and I'm going to pay you twenty-three or twenty-five or hire someone from out in the same grade and pay them more. They just can't do this if we sustain this.

Michelle Madoff:

Mr. President, is this the same as as needed? Does this come under the

same category where we can hire as needed?

The Chair:

No.

Michelle Madoff:

How does it differ?

The Chair:

It means that — Let's take one of our clerk typists in Council; their pay rate is say \$16,000. That means that we could arbitrarily, because we like this individual or we thought they did such good work, pay them \$18,000. This says you cannot do that, that this is what grade they are and that's all they can make.

Michelle Madoff:

If you have somebody at sixteen and the person didn't show up, you could go out and hire somebody else who is qualified and give them sixteen and that's your as needed.

The Chair:

Right.

Michelle Madoff:

The reason I'm concerned is that Mr. Flaherty just wanted us to amend his proposal to as needed and we didn't do it there and I just wanted to be sure we weren't doing it here.

The Chair:

Okay, to sustain you vote no. To override, you vote aye.

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

VOTING NO:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES none NOES 9

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

The veto stands.

Item No. 7. Other Authorizations, Management Employee Benefits. I need a motion to override.

Mr. DePasquale:

So moved.

Michelle Madoff seconded the motion.

The Chair:

This is the same thing. I would ask that Council vote to sustain the Mayor's veto. This is the portion I put in. I was afraid that we could perhaps have another incident like we had a few months ago where one individual took a position and he chose what benefit plan he would take. Well they no longer can do that; they Mayor has other language in there that if you are a policeman and you move up to, say, become a Public Safety Director, you can only receive the policeman's benefits. If you are a fireman and move to another position in

that department, you can only receive those benefits. So, I'm asking that Council sustain the Mayor's veto on this issue.

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

VOTING NO:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Pollock
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't)

AYES none NOES 9

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

The veto stands.

Now we move on to Capital Budget, Item 8. Dean Field Improvements. I need a motion to override.

Mr. DePasquale:

So moved.

Mr. Wagner seconded the motion.

Mrs. Masloff:

Discussion. I think its un conscionable and I don't think its cost effective to spend almost \$500,000 to put turf on a field where other parts of the City will have no field at all. It's a

difference of \$470,000 for one field. Our department engineers have told me that the grass will be just as good. As a matter of fact, it won't be as dangerous because turf, vandals have been inclined to cut the turf and burn it and do all kinds of damages. A grass field would be every bit as good and again, I repeat, its unconscionable to spend an additional \$470,000 — In addition, I'm not saying a total, this is in addition to \$330,000 that we're spending for this field. I think its unfair to the rest of the City, for other sections of the City to go without a field at all when we have to spend an additional \$470,000 for one field and I will vote to sustain the Mayor's veto on this.

Michelle Madoff:

I would have voted to override the Mayor's veto. As a matter of fact, the people in the community who are interested in this field called me just as we were coming into session today and they're probably going to be surprised that I'm going to back off of my position. I believe that they're correct; I believe that Mr. Givens is correct. I believe that there are more people using that field than all the other fields that we would generate through the differential, the \$470,000, to put into other fields. However, let me read from what the Mayor has said, and I think this is important that people in that area listen. The Mayor says that the \$330,000 is sufficient to provide a first-class recreational field and this improvement can begin in the near turn. Here's what else he says; here's the thread, folks. The Mayor says that making it a larger and more elaborate project will necessitate the improvement being pushed back a number of years as it cannot be a priority when the City is facing many other urgent capital requirements. So, what the Mayor is saying is that if this Council doesn't vote

with the Mayor to sustain his veto, you get nothing. You're not even going to get your field seeded. My suggestion then, as an alternate, is that I think the grass is not going to last. I think it's going to be destroyed on a regular basis and it would not be cost effective to go with the turf. I think what we ought to do, if that's the only way we can get the field repaired, is to let Councilmembers know when that field is starting to deteriorate and we would point out to the Mayor that he vetoed the dollars for the turf and that we would expect that he would go in and maintain the seeded property. Because it says right here that if we approve it, he isn't going to do it. He's not going to do anything about the field.

Mr. Givens:

Contrary to what some Councilpeople indicated, the field is unsafe right now. I can see the urgency.

Secondly, it was in the 1985 budget that this field be appropriated \$700,000. It again was in our 1986 budget, \$700,000. In 1987, it could come down to \$330,000. The field is not safe.

It's interesting to note in the City's Capital Budget for this year, 1987, we are appropriating \$135 million in various capital improvement projects. It is interesting to note that Louise Brown ought to go back and check her books and see that there's \$640 million in outstanding prior year funds available as of September 30, 1986, as our staff has so indicated to us. Then why can we not fix this family neighborhood community regional park? It's not a local park. I can show you many other parts in the City that are local in nature. This is regional. And if we are to keep families in the City of Pittsburgh, from migrating from our city, then we must offer them programs to keep them in here.

This field would constitute an area of about 100,000 using this particular field. That's how many teams. I love grass. I would like to see a grass — I would rather play on a grass field, and I'm sure many others would, than on a turf field. But, there will be no grass on this field, regardless if they planted it every day, regardless if they kept people off of it for a length of time, because of the usage of the field. It only took them 17 years to wear out that turf right there on that particular field.

Again, if we can put money into our stadiums, if we can put money into our downtown, we on this Council are sure to put money in our neighborhoods where our people live and our family kids are going to go, and the moms and the dads and the sisters and the brothers and the grandpaps and grandmas and aunts and uncles can come and see their children play on our fields and not have to go out someplace in the suburban community to see their children play. Let's take care of our own neighborhood first.

Michelle Madoff:

Mr. President, I think its unfortunate that we didn't get this veto and comments by the Mayor and really taking excerpts and voting on the excerpts. I see there are other items that are in the Mayor's budget that we should be sharing with the public, they should be read into the record for the public to know what the Mayor has said.

I repeat, I agree with Mr. Givens. The problem I have, Mr. Givens, is that if we vote for the right thing, the Mayor is saying that he will push back this field a number of years; it will not be a priority. You better read it; that's what he says and they're going to get nothing, and I think something is better than nothing.

Mrs. Masloff:

Mr. President, our grandpas and our grandmas and our aunts and our uncles can play in a \$330,000 field as well.

The Chair:

All in favor of overriding the Mayor, signify by saying aye. Those opposed vote no. If you want to override, vote aye. If you want to sustain, vote no.

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. DePasquale	Mr. O'Malley
Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods (Pres't)

AYES 6 NOES 3

(MICHELLE MADOFF; MRS. MASLOFF
AND MR. POLLOCK VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

Michelle Madoff:

Mr. President, point of order. Would you please clarify because the people are very concerned about this and following our vote this afternoon that the Mayor has said he will push this back a number of years, that they may not get anything?

The Chair:

Michelle, I understand what you're saying and on every item here that he has vetoed, he says that he wouldn't do it. Just like you made the statement that we can vote and vote and vote to add 40 police in and he's not going to fill it anyway. It's the same thing that you're saying about Dean Field. If it works for one, Michelle, it should work for the other. I don't understand your logic sometimes.

And on the motion of **Mrs. Masloff**

Council adjourned.

